

## EmPower+ Project Eligibility

EmPower+ provides incentives and access to financing to promote the installation of eligible energy efficiency measures designed to increase the energy efficiency of eligible buildings. Prior to approving financial incentives, NYSERDA may request a certificate of occupancy to ensure the property is safe to inhabit and meets all code and usage requirements.

EmPower+ provides financing incentives for the following building types:

1. 1-4 family existing residential homes
2. Manufactured Homes:
  - a. A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet
  - b. Is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein
  - c. Include any structure that meets all the requirements above except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States secretary of housing and urban development and complies with the standards established under Title 42 of the United States code; and except that such term shall not include any self-propelled recreational vehicle

EmPower+ does not provide financing incentives for the following:

1. Stand-Alone Additions
2. Extensive Gut Rehabilitation (i.e. demolition to bare walls)
3. Motorized Vehicles (campers/recreational vehicles)
4. Trailer-Mounted Structures Not Meeting the Manufactured Housing Requirements Outlined Above
5. Energy Related Improvements that are Required by State or Local Building Code

A household at a given address can participate in the Program until the Program incentive cap is met. Once the Program incentive cap is met, the household cannot participate in the Program until one year has passed from the initial project completion date, which is the funding allocation date in NYHEP. If the household members move to a new address, then the one-year waiting period is cleared.

For non-rental properties, EmPower+ can only serve a primary residence. A primary residence is where a household spends the majority of their time and is considered the legal address listed for documents such as tax returns, award letters, a driver's license or State identification, and voter registration card.

## Funding Sources

EmPower+ is funded through multiple funding sources, each with different requirements and funding levels. Access to Program incentives may be impacted by the household's utility provider, participation in other income-eligible programs, and availability of funds at the time of application. In addition, certain funding sources may have terms or conditions that differ from standard program incentive cap amounts. Participating Contractors can work with their account manager who can assist with determining available funding on a given project.

## Project Types

The ability to serve individual households with energy efficiency measures can be impacted by factors such as availability of funding source, landlord approval for projects at rental properties, and willingness of the household to participate in the Program. In general, there are four distinct project types as outlined below.

- Direct Install- Typically occurs at the time of the energy assessment at no cost to the household, Direct Install projects include measures such as led lighting, weatherstripping and furnace filters. Direct Install measures do not require prior Program approval; however, certain measures may require owner or landlord approval in rental units. For additional information on Direct Install, please see Section 5.14 of the [Program Manual](#).
- Comprehensive Project- Includes whole house energy efficiency-measures including electric and load reduction measures and, if necessary, health and safety. These projects are subject to funding availability, program approval of work scope and if a rental property, owner or landlord approval.
  - No-Heat- A type of Comprehensive Project which occurs when a primary heating system fails during the heating season. In all instances, No-Heat projects require Program permission to proceed, and this project type has specific requirements that must be met prior to Program approval. For additional information on No-Heat projects, including requirements and Program incentive caps, please visit Section 5.09 in the [Program Manual](#).
- Muni-Install- These projects typically occur in households where either the gas or electric service is provided by a municipality. Generally, there is reduced funding available to municipal customers as there are limited Program funding sources available

to these households on energy efficiency measures where the savings associated with the measure is tied to the municipal supplier. For example, in a household heated with a natural gas furnace where the natural gas is provided through a municipality, the program may not be able to fund insulation measures as the savings is tied to the natural gas municipality. For participating contractors serving households with a municipal utility, prior to submitting a workscope, check with the Program Implementor to verify the availability of funds.

- Pilots- These projects typically are reserved to evaluate new offerings or technologies, or are projects that have specific requirements including, but not limited to, funding source restrictions or serving limited geographic areas. Program will communicate pilot offerings to contractors as needed and may limit pilot participation to participating contractors meeting certain program requirements or serving certain geographies or project types.

### **Eligible Measures**

The Program will rely on the Eligible Measures list, found in Section 5.15 of the [Program Manual](#), for determining eligibility for incentives and Program Financing. These measures have been deemed by NYSERDA as meeting the program's requirements for program eligibility. Eligibility requirements for Program Financing can be found in the [Finance Program Manual](#) located here. The Program will monitor project costs as well as projected and actual energy cost savings while working with contractors to ensure the Program meets its energy savings and cost-effectiveness targets.

### **Participating Contractor Non-Eligible Projects**

Participating Contractors are prohibited from providing energy efficiency services, accepting Program referrals, or acting as a sub-contractor to another Participating Contractor on dwellings owned or occupied or by a Participating Contractor's employees, any principal, immediate family members, or associates with a financial interest in the Participating Contractor's business. In the event there is an existing relationship, as outlined above, with a Participating Contractor and an income eligible household, the household remains eligible to receive services through NYSERDA's programs and should work with the program team to facilitate the project.

### **Substantial Renovation**

The goal of a substantial renovation is to increase efficiency in one or more areas of an existing primary residence with the overall goal of having the home be "heat-pump ready." This goal may need to be achieved over time.

A substantial renovation is not new construction, a gut rehabilitation where there are changes (deconstruct or newly construct) to interior walls, or a renovation to turn an existing space into a primary residence. Any and all program measure incentive approval for substantial

renovation projects is at program staff or its designee's discretion.

Substantial renovation projects are considered "short term" and require the primary residence or a space within the primary residence to be unoccupied for less than 30 consecutive days. For shell measures installed in unfinished/open cavities, the building owner or designated representative, must attest the insulated areas will be finished within 30 days of project completion, unless Program approves to finish small areas as part of the eligible work scope or covering insulated materials sooner is required by code. Residences owned by Non-Profits undergoing substantial renovations prior to renting or selling residence to an income qualified household, may be unoccupied for more than 30 days to allow for coordination with other trades, as necessary.

### **Mixed-Use Buildings**

- Residential units located in a building with commercial space (e.g. retail, restaurant, etc.) may qualify for Program incentives when:
  - The residential units have their own heating, cooling, and hot water systems separate from the commercial space or, if these systems are shared, they use residential-scale equipment.
    - Incentives and savings associated with shared equipment between a residential and commercial space will be prorated based upon the ratio of residential to commercial space.
    - The commercial space is not eligible to receive Program incentives.
  - The square footage of the residential space is at least 50% of the building total.
  - Mixed-Use buildings may not be eligible for all Program funding types.
  - Mixed-Use projects will be reviewed by the Program to determine eligibility prior to Program approving work scope measures.

### **Condos and Co-Ops**

- Program applicant must own or lease and have authority to contract for work and make changes to the unit.
  - There must be a clear understanding between the owner/lessee and Participating Contractor what measures the owner/lessee has the right to install.
- HVAC measures shared between units cannot receive incentives without Condo or Co-Op board approval.
- In all cases the contractor will be required to follow all of the Condo or Co-Op rules and regulations regarding upgrades to units.

### **Customer Eligibility**

- A determination of applicant eligibility will remain in effect for one year from the initial date of determination, during which no new documentation will be required unless the program receives information indicating that the applicant is no longer

eligible or is now eligible under a different income level (e.g., a household initially determined to be moderate-income is now considered low-income). If a workscope is not submitted within that one-year period, the application will be cancelled, and the customer will need to reapply even if their income does not change.



## Revision History

June 2025- Provided Clarification on what building types are eligible for EmPower+ and what project/building types are not eligible for EmPower+.

July 2025 – Under **Mixed Use Buildings**, added a bullet regarding “Mixed-Use buildings may not be eligible for all Program funding types.”

Added **Customer Eligibility** section to address that a customer application is valid for one year.