

1982 BILL 224

Fourth Session, 19th Legislature, 31 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 224

HOME ENERGY CONSERVATION ACT

MR. COOK

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 224
Mr. Cook

BILL 224

1982

HOME ENERGY CONSERVATION ACT

(Assented to , 1982)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

(a) “auditor” means an energy auditor licensed by the Minister pursuant to this Act;

(b) “fund” means the fund established pursuant to section 2;

(c) “contractor” means a person who carries out qualifying improvements and is not forbidden to do so by section 13.

(d) “home” means a single family dwelling that is detached or is part of a building that has a number of single family dwellings in it but does not exceed 4 floors in height and includes a condominium;

(e) “Minister” means the Minister of Housing and Public Works;

(f) “qualifying improvement” means an improvement to a home which has been recommended by an auditor for the purpose of improving the energy efficiency of the home and is an installation, augmentation or replacement of any of the following:

(i) floor, roof, ceiling or wall insulation,

(ii) vapour barrier,

(iii) weather stripping,

(iv) improved windows,

- (v) improved doors,
- (vi) caulking,
- (vii) ventilation,
- (viii) framing and drywall on basement walls in which insulation is also to be installed,
- (ix) heating systems and air to air heat exchangers,
- (x) shutters and other forms of window insulation,
- (xi) devices or structures necessary to improve reception or distribution of solar heat,
- (xii) labour costs and design costs relating to work covered by sub-clauses (i) to (xi), and
- (xiii) fees paid to an auditor; and

(g) “resident” means the owner or occupier of a home.

Establishes Fund

2(1) There is hereby established a fund to be called “The Home Energy Conservation Fund” which shall contain such money as is appropriated to the fund by the Legislature from time to time.

(2) The Minister shall be responsible for the administration of the fund and make payments from it in accordance with this Act.

Loans

3 A resident may apply in the prescribed form to a financial institution approved by the Minister to borrow money for the purposes of carrying out 1 or more qualifying improvements under this Act in an amount not exceeding \$2500 and the Minister, on being satisfied that the resident has met the requirements of this Act, may declare the loan to be a loan for the purposes of this Act and may guarantee the loan and the guarantee shall be a liability on the fund.

Interest payable

4 The loan shall bear interest at the rate to be approved by the Minister from time to time and the resident shall be obliged to pay any interest due to the financial institution up to 5% and the Minister shall pay the interest in excess of 5% to the financial institution.

Requirements for application

5 An application for a loan pursuant to section 3 shall be accompanied by

- (a) the recommendations of an auditor supporting the qualifying improvements, and
- (b) a quotation for the carrying out of the work recommended by the auditor, which shall be signed by the auditor.

Certificate of completion

6 Prior to the release of funds by the financial institute to the

resident, the resident shall provide to the financial institution making the loan a certificate by the auditor in the form provided for in the regulations that the qualifying improvements have been carried out satisfactorily and an invoice from the contractor for payment for the qualifying improvements.

Application for grant	<p>7 Upon completion of the qualifying improvements, the resident may apply to the Minister for a grant in an amount not exceeding 40% of the loan approved pursuant to this Act and the Minister shall, if he is satisfied that the qualifying improvements have been properly carried out, pay the grant to the financial institution providing the loan which shall be used to retire part of the loan.</p>
Applications permitted	<p>8 The loan and grant limits provided in this Act may be taken up entirely in 1 application or in a number of applications not exceeding the total provided in aggregate.</p>
Duties of auditor	<p>9 An auditor carrying out an energy audit shall personally inspect the home, identify the most cost effective improvements to save energy, assess the feasibility of alternate improvements and alternate energy sources and render a report in writing on his audit to the home owner, to the financial institute and to the Minister if requested by him.</p>
Qualifications of auditor	<p>10 A person who</p> <ul style="list-style-type: none">(a) is a professional engineer qualified in civil or mechanical engineering, or(b) has had at least 5 years experience in building or insulation, or(c) has experience or qualifications which the Minister deems sufficient <p>may apply to the Minister to be licensed as an auditor pursuant to this Act.</p>
Unauthorized persons	<p>11 Any person who carries out or represents that he is authorized or licensed to carry out the function of auditor, contractor or financial institution for the purposes of this Act and who is not licensed or authorized is guilty of an offence and on summary conviction liable to a fine of up to \$2000.</p>
Financial institutions	<p>12 For the purposes of this Act a financial institution shall be any chartered bank, trust company or other institution approved by the Minister for the purposes of this Act or a utility company or fuel supplier that applies to the Minister and satisfies him that it can fulfill the requirements of a financial institution for the purposes of this Act.</p>
Authorized persons	<p>13(1) No person shall carry out qualified improvements at a home if he has a substantial family or business connection with the auditor who recommended the qualifying improvements.</p>

(2) Notwithstanding subsection (1), the Minister may authorize a utility company to provide the audit, contracting and financial institution services or any 1 or 2 of those services in respect to a home.

False declarations **14** Any person who makes a false declaration, oral or written, for the purposes of obtaining any benefit under this Act is guilty of an offence and liable on summary conviction to a fine not exceeding \$5000.

Coming into force **15** This Act comes into force on the date fixed by a Proclamation which shall not be earlier than the effective date of the first appropriation of money into the fund.