

Illinois Energy Efficiency Stakeholder Advisory Group
Policy Manual Subcommittee

Policy Resolution:

Income Eligibility Verification Guidelines for Residential New Construction (ResNC) Programs

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Policy Issue:

The Electric Homes New Construction (EHNC) Program aims to support the development of all-electric, energy-efficient homes for households across ComEd territory. Verifying income eligibility in the context of residential new construction programs (ResNC) presents unique challenges, particularly when homes are not yet occupied, and traditional tenant-based verification methods are not feasible. To ensure that these challenges do not hinder participation or delay project timelines, the EHResNC Program proposes multiple pathways for builders and developers to establish income eligibility. These pathways are designed to be efficient, minimally burdensome, and equitable—supporting timely delivery of incentives and ultimately opening a pathway for Income Eligible targeted offerings within the EHResNC programs.

Policy Resolution:

The following pathways are all acceptable ways to demonstrate income eligibility verification for projects completed in the EHResNC programs (including single-family and multifamily new construction). Each Program Administrator has the discretion to choose any of the following pathways:

1. *Participation in an Affordable Housing Program.* Automatic qualification for any property that can provide documentation of participation in a project-based federal, state, or local affordable housing program (e.g., LIHTC, HUD, USDA, State HFA, local tax abatement). Tenant-based programs (e.g., Housing Choice Vouchers) are excluded as they do not guarantee affordability at the development level.

2. *Participation in the Weatherization Assistance Program.* Submission of documentation showing a rehabbed property is on the waiting list for, currently participating in, or has in the last five years participated in the Weatherization Assistance Program. This pathway must also meet the following criteria where applicable:

i. Developers must also demonstrate affordability through final sale prices ($\leq 120\%$ AMI for for-sale units) or rent levels ($\leq 80\%$ AMI for rental units)

ii. A lease stabilization affidavit is required when the property will be renter occupied

iii. Commitment to not reduce unit quantity. Exclusion applies to properties reducing the number of previously available housing units due to safety or zoning requirements

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3. *Location in a Low-Income Census Tract.* Location in a Census Tract identified by the Program Administrator as low-income using HUD's Qualified Census Tracts. This pathway must also meet the following criteria where applicable:

i. Developers must also demonstrate affordability through final sale prices (≤120% AMI for for-sale units) or rent levels (≤80% AMI for rental units)-

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ii. A lease stabilization affidavit is required when the property will be renter occupied recommended to ensure tenant

iii. Commitment to not reduce unit quantity. Exclusion applies to properties reducing the number of previously available housing units due to safety or zoning requirements

4. *Rent Roll Documentation.* Rehabbed projects may submit rent rolls documenting median rents charged by a property are at or below 80% of HUD's Fair Market Rent. This pathway must also meet the following criteria where applicable:

i. Developers must also demonstrate affordability through final sale prices (≤120% AMI for for-sale units) or rent levels (≤80% AMI for rental units)

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ii. A lease stabilization affidavit is required when the property will be renter occupied

iii. Commitment to not reduce unit quantity. Exclusion applies to properties reducing the number of previously available housing units due to safety or zoning requirements

~~To ensure long term affordability, developers should include provisions or commitments supporting preserve affordability for a minimum duration aligned with program goals.~~

5. *Tenant Income Information.* Pre-construction submission of tenant income information showing that at least fifty percent (50%) of units are rented to households meeting one of the following criteria: a. at or below two hundred percent (200%) of the Federal Poverty Level, or b. at or below eighty percent (80%) of Area Median Income. This pathway must also meet the following criteria where applicable:

i. Developers must also demonstrate affordability through final sale prices (≤120% AMI for for-sale units) or rent levels (≤80% AMI for rental units)

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ii. A lease stabilization affidavit is required when the property will be renter occupied

iii. Commitment to not reduce unit quantity. Exclusion applies to properties reducing the number of previously available housing units due to safety or zoning requirements