



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

FEB 20 2020

OFFICE OF COMMUNITY PLANNING  
AND DEVELOPMENT

Mr. Dennis Gonzalez, Esq.  
Deputy Secretary  
Department of Housing  
Commonwealth of Puerto Rico  
PO Box 21365  
San Juan, PR 00928-1365

Dear Mr. Gonzalez:

Thank you for your letters requesting the Department to clarify the applicability of the CPD Green Building Retrofit Checklist required in the February 9, 2018, *Federal Register* Notice for rehabilitation of non-substantially damaged residential buildings. PRDOH is specifically requesting clarification as to whether the entire Checklist is mandatory, even if some of the elements are not applicable due to climate or type of construction and what would be the process to request “waivers” on the applicability of certain items.

The Department recognizes that not all elements of the Checklist will be applicable in all climates and geographies. Therefore, HUD will consider exceptions to these standards based on climate or geography. Your office requested the following exceptions or alternative requirements as described below:

Measures		Reason for Non-Compliance/Waiver	PRDOH Recommendation
1.	Air Sealing: Building Envelope	Not applicable due to climate and type of construction (concrete) in Puerto Rico.	Waiver with Option <b>Option:</b> The building will be applicable to the extent of the type of construction (e.g. wood frame structure). Sealing around all doors and windows frames will be required, no matter the type of construction.
2.	Insulation: Attic (if applicable to building type)	Not applicable due to climate and type of construction in Puerto Rico.	Waiver when Attics are present. <b>Option:</b> Comply with the R401.2.1 Tropic Zone (6) of the Puerto Rico Codes 2018 when attics are present.
3.	Insulating: Flooring (if applicable to building type)	Not applicable due to climate and type of construction (concrete)	-----

Measures	Reason for Non-Compliance/Waiver	PRDOH Recommendation
		in Puerto Rico.
4.	Duct Sealing (if applicable to building type)	Not applicable due to climate and type of construction in Puerto Rico.
5.	Air Barrier System	Not applicable due to climate and type of construction (concrete) in Puerto Rico.
6.	Radiant Barriers: Roofing	Not applicable due to the type of construction in Puerto Rico.
7.	Windows	<p>In Puerto Rico, there are no local companies that manufacture ENERGY STAR rated windows.</p> <p>Also, Puerto Rico is not included in the Geographic Region Map_Climate Zone Map, and the Window's Southern Performance Criteria are different from those proposed in the ENERGY STAR Certified Homes Version 3 R10_Caribbean. (Exhibit 1)</p>
8.	Sizing of Heating and Cooling Equipment	Not applicable due to climate and type of construction in Puerto Rico.
9.	Air Ventilation: Single Family and Multifamily (three stories or fewer)	Not applicable due to climate and type of construction in Puerto Rico.
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		Waiver with Option <b>Option:</b> The building will be applicable to the extent of the type of construction (e.g. wood frame structure).
		Waiver with Option <b>Option:</b> Puerto Rico rarely builds attics in their dwelling units; therefore, it is recommended to comply with the R401.2.1 Tropic Zone (6) of the Puerto Rico Codes 2018, where attics are present.
		Waiver with Option <b>Option #2:</b> Comply with ENERGY STAR requirements for the SHGC and U-Value established at the ENERGY STAR Certified Homes Version 3 R10_Caribbean. [Exhibit #2].
		Waiver
		Waiver


Measures		Reason for Non-Compliance/Waiver	PRDOH Recommendation
10.	Air Ventilation: Multifamily (four stories or more)	Not applicable due to climate and type of construction in Puerto Rico.	Waiver
11.	Composite Wood Products that Emit Low/No Formaldehyde	Refer to the recommendation.	<p>Waiver with an option</p> <p><b>Option:</b> Applicable only when replacing composite wood products.</p> <p>Low-/no formaldehyde wood products is proposed only when replacing existing composite wood products.</p> <p>We would consider low-no formaldehyde products even when not replacing existing composite wood products? (e.g. kitchen cabinets).</p> <p>In the R3 program for new construction of dwelling units, the low/no formaldehyde wood products are not included in the Minimum Architectural and Design Standard Requirements.</p> <p>Since new construction projects an all programs need to comply with a Green Building Standard (GBS), depending on the selected GBS it may require low/no formaldehyde wood products.</p> <p>For Rehabilitation of Non-Substantial Damaged Residential Building, projects are required to comply with the HUD CPD Green Building Retrofit Checklist.</p> <p>Composite wood products in a Non-Substantial Damaged Dwelling unit that were not damaged by the storm/hurricane event, will not be required to be replaced with a low/no formaldehyde</p>

Measures	Reason for Non-Compliance/Waiver	PRDOH Recommendation
12.	Environmentally Preferable Flooring	<p>wood product.</p> <p>Waiver with option  <b>Option:</b>  When replacing use environmentally preferable flooring certification options, standards or ecolabel as the following:</p> <p>Cradle to Cradle Certified Product Standard  Good Environmental Choice Australia (GECA) Floor Coverings  NSF/ANSI 332 Sustainability Assessment for Resilient Floor Coverings  The Council of North America (TCNA): ANSI A138.1/Green Squared  International Living Future Institute: Living Product Challenge  Sustainable Materials Rating Technology (SMART)  International Living Future Institute  FloorScore  SCS Indoor Advantage Gold  UI 2818 Greenguard Certification Program for Chemical Emissions for Building Materials, Finishes and Furnishings  Global Recycled Standard</p>
13.	Clothes Dryer Exhaust	<p>Some units may be impossible to vent to the outside or install a rigid duct that vents to the exterior.</p> <p>Waiver with an option in cases were they cannot comply with the venting to the outside with a rigid duct.</p> <p><b>Option #1:</b>  To those cases where rigid vent to the outside are impossible, we propose to</p>

Measures		Reason for Non-Compliance/Waiver	PRDOH Recommendation
			install an Indoor Dryer Vent with Flexible Ducts.
14.	Combustion Equipment	May only apply in the rare cases where a Gas water heater is being replaced in the dwelling unit. Other combustion equipment such as furnaces and boilers are not common in climate.	Apply only to Gas Water Heater being replaced in the interior of the Dwelling Unit.
15.	Radon Testing and Mitigation (if applicable based on building location)	Not applicable due to location. Exhibit 3	-----

HUD is approving each of the exceptions (waivers) to the CPD Green Building Retrofit Checklist for non-substantially damaged residential buildings funded with CDBG-DR. PRDOH must submit to the Department any other modification requests to the checklist due to geographic and/or climate conditions. In the measures listed where more than one option is being presented by the grantee, it should consider the most cost-effective option. If you or your staff have any questions regarding this response, please contact CPD Specialist, Ms. Sandra Velazquez, at 787-274-5811 or [Sandra.M.Velazquez@hud.gov](mailto:Sandra.M.Velazquez@hud.gov).

Sincerely,

  
 Jessie Handforth Kome  
 Director (Acting)  
 Office of the Block Grant Assistance