

## **GBCI REVIEW CHALLENGE POLICY**

This Review Challenge Policy has been put in place to protect the integrity and fairness of the certification programs administered by the Green Business Certification Inc. (GBCI). GBCI has award winning, comprehensive customer service and support processes and policies in place, and it is anticipated that resolution of technical issues or disputes related to the requirements of a rating system or standard, can be accomplished through our traditional customer service channels. If, however, resolution of the technical issue at hand has not been satisfactorily achieved via GBCI's customer support channels, the owner or project team administrator may initiate a Review Challenge

GBCI intends this policy to function as a quality check on the GBCI certification process by providing a mechanism to challenge a review ruling rendered by GBCI. This policy is not meant to serve as a vehicle for the adjudication of disputes between outside parties. Accordingly, this policy and the review challenge process detailed herein do not replace any applicable judicial or other alternative dispute resolution processes that third parties may have available to resolve such disputes between themselves.

Project teams wishing to initiate a Review Challenge or contest a Review Challenge decision should contact GBCI at: [reviewchallenge@gbc.org](mailto:reviewchallenge@gbc.org)

In this policy document, reference to the "project team" shall mean "project team and/or owner."

- 1.1 Review Challenge Overview: This policy address scenarios where a project team is challenging the accuracy of a reviewer's decision regarding the sufficiency of the submitted materials. If, resolution of the technical issue at hand has not been able to be achieved via GBCI's customer support channels, the project team may initiate a Review Challenge. Please be aware that this process is only available up and until the project team accepts GBCI's final determination regarding the award or denial of LEED certification. The opportunity to challenge the results of a final or appeal (supplemental) review is only available for twenty-five (25) business days after the results of the final or appeal review are published. Each Review Challenge can only apply to a single MPR, prerequisite or credit; however multiple Review Challenges can be submitted simultaneously.

This policy is separate from the Supplemental (appeal) Review process which is an additional phase of review (available for a fee) that can be used to provide *new* information not previously submitted for review.

- 1.2 Initiating a Review Challenge: Review Challenges must be initiated by the project team within sixty (60) calendar days after the results of the final or appeal review are published. The project team should clearly indicate in the challenge documentation that they are contesting a GBCI ruling and that they are not providing additional clarifications or new documentation. The project

team must provide a written explanation identifying the basis of the Review Challenge, including the contested elements of the certification review. The fees outlined in Pricing Appendix A must be provided to GBCI within fifteen (15) calendar days following the date of the review challenge initiation.

Note: if the project team (or project owner) wishes to submit *new* documentation (calculations, drawings, plans, etc.) this should be done via an additional round of review (supplemental review); a supplemental review is not considered a Review Challenge.

- 1.3 Review Challenge Process: GBCI will appoint representatives not previously involved in the original determination to review the explanation provided by the project team. If GBCI determines that a site visit may be useful, GBCI, with the assistance of one or more technical consultants, may, but is not required to, conduct an on-site inspection of a project. GBCI shall notify the project owner of the necessity of the site visit in writing. GBCI representatives including staff members and/or technical consultants shall make the arrangements for the site visit and the project owner shall facilitate access to all areas of the project (as defined by the project boundary used for certification) during the site visit.
- 1.4 GBCI Statement of Findings: Upon conclusion of the Review Challenge review, GBCI will issue a statement of its findings and decision to the project owner by email via verifiable method of delivery (typically within 30 days of receipt of challenge from project team or project owner). The project team or project owner has thirty (30) calendar days after receipt of such statement to notify GBCI if they want to contest the Review Challenge Decision.
- 1.5 Contesting the Review Challenge Decision: All requests to contest a Review Challenge Decision must be submitted in writing and sent to GBCI by traceable email, mail or delivery service within thirty (30) calendar days after receipt of the decision. The challenge must specify a valid basis for contesting the Review Challenge Decision, but may not offer documentation other than that previously proffered to GBCI. GBCI may file a written response to the Review Challenge Decision request. An invoice reflecting the appropriate fee as set forth shall be generated by GBCI and shall be paid within 15 days of receipt.
- 1.6 Contesting the Review Challenge Decision Process: Upon the receipt of a request to contest the Review Challenge Decision and upon payment related thereto, the GBCI Chair in consultation with the GBCI President shall appoint three persons to serve on the Review Challenge Panel, each of whom shall be qualified by virtue of training and experience to have the appropriate technical knowledge in the relevant program requirements. The Review Challenge Panel shall make a final determination on all determinations pertaining to MPRs, credits and/or prerequisites. No member of the Review Challenge Panel may (a) review any matter in which his or her impartiality might reasonably be questioned or (b) review any matter which presents an actual or apparent conflict of interest relating to the project

GBCI shall notify the project team of the names of those persons serving on the Review Challenge Panel, and the project team shall notify GBCI within ten (10) business days of receipt of such names if the project team questions the impartiality of any member of the Review Challenge Panel. The Chair of GBCI shall determine whether to disqualify any member from serving on the Review Challenge Panel. In the event of disqualification, the Chair of GBCI in consultation with the GBCI President shall designate the Chair of the Review Challenge Panel.

The Review Challenge Panel will endeavor to meet within sixty (60) calendar days. It shall render a decision, including a brief description of its reasons and written briefs (if any) without an oral hearing. GBCI will endeavor to (but does not guarantee) deliver a decision on the Review challenge within thirty (30) calendar days of the meeting of the Review Challenge Panel. Decisions of the Review Challenge Panel shall be by majority vote and the decisions shall be final.

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#### **PRICING APPENDIX A**

Review Challenge Fee	\$800.00
Review Panel Fee	\$1,500.00

*Successful challenges will result in a full refund of Review Challenge fees paid to GBCI*