

Commercial Financing Program

Implementation Guide

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Michigan SavesSM

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Document History

Version	Date	Nature of Revisions
1.0	May 24, 2012	Created initial implementation guide
1.1	October 31, 2012	Clarified treatment of energy savings from geothermal or solar thermal systems toward 20 percent savings calculation.
1.2	January 5, 2013	Implemented changes to form submission process; expanded quality assurance section.
2.0	March 17, 2014	Changed lender references from Ervin Leasing to Ascentium Capital; eliminated special buy-down incentive language.
2.1	August 1, 2015	Changed contractor fee; replaced “lessee” with “business owner;” replaced “lease” with “equipment finance agreement;” updated program efficiency requirements; replaced attachment (Summary of “à la carte” eligible measures for retail food sector) with guideline variations for Michigan Saves Multifamily and Public Sector financing programs.
3.0	September 1, 2016	Removed lender references specific to Ascentium Capital; added information on TEAM financial; added process and contractor approval process flow charts
3.1	November 23, 2016	Updated process flow chart
4.0	March 1, 2018	Updated contractor application process, loan application process, eligible measures, lender information, and quality assurance process.

Introduction

Michigan Saves is a nonprofit organization dedicated to making energy improvements easier for all Michigan energy consumers. To accomplish this, Michigan Saves operates as a green bank, making affordable financing and incentives available through grants and partnerships with private sector lenders and energy providers. We also authorize and monitor a network of contractors while providing technical assistance for customers and contractors alike. Our current portfolio includes programs for residential, commercial, and municipal customers, and supports energy improvements and water efficiency projects.

Michigan Saves' mission is to stimulate and support investment in energy-efficiency and renewable energy systems and measures in Michigan homes, businesses, and public buildings. Working through our industry and community partners, we offer a statewide network of authorized, professional building contractors with expertise in energy efficiency and onsite renewable energy systems. We also make innovative, affordable financing available for energy-focused building and equipment improvements and accelerate demand for greater efficiency through education and communication.

This implementation guide outlines the details and requirements of the Michigan Saves Commercial Financing Program, which provides easy, affordable financing to all types of commercial and nonprofit entities, such as manufacturing, food service, office, retail, apartment complexes, and houses of worship, for qualifying energy improvements in Michigan. The guide serves as a reference for participating contractors to understand the program requirements and to promote the program to customers.

The Michigan Saves Commercial Financing Program

Commercial Financing Basics

The Michigan Saves Commercial Financing Program consists of equipment finance agreements (EFAs), equipment loan, or lease agreement for amounts of \$5,000 to \$250,000, with a variable interest rate beginning at 5.99% APR and terms of up to 84 months. The financing is originated and serviced by a Michigan Saves authorized lender. Details are provided in Table 1.

TABLE 1. Commercial Financing Details

Eligible properties	Owners or occupants of commercial buildings in Michigan (includes businesses, nonprofit organizations, and multifamily complexes, but not public entities). New construction is not eligible
Financing type	EFA, equipment loan, or lease agreement
Eligible improvements	Prequalified energy improvements installed by a Michigan Saves authorized contractor
Financing amounts	\$5,000 to \$250,000, with higher amounts considered on a case-by-case basis
Term	Up to 84 months
Financing rates	<ul style="list-style-type: none"> • Fixed rates beginning at 6.99% APR • Interest rate buydowns as low as 0% APR for commercial and nonprofit entities—may be available in select utility service territories
Key underwriting criteria	<ul style="list-style-type: none"> • Minimum two years in business • 650+ personal FICO scores of principals/guarantors with a combined 51 percent ownership or greater • SBSS score 175+ • Minimum Paydex of 60 • No history of bankruptcy, material liens, or judgments
Financing fees	<ul style="list-style-type: none"> • A contractor fee of 1.99 percent of the total amount financed • Other fees may include documentation fees and any direct expenses incurred by lender to secure the transaction beyond general UCC-1 filings (such as fixture filings and outside legal expenses)

Public Sector Financing Basics

Authorized Michigan Saves commercial contractors may utilize the Michigan Saves Public Sector Financing Program, which is similar to the Commercial Financing Program—with variations noted below.

TABLE 2. Public Sector Financing Details

Eligible properties	Property owned by cities, townships, villages, school districts, and counties in Michigan (includes public schools, libraries, hospitals, etc.)
Financing type	Municipal Installment Purchase Agreement
Eligible improvements	Prequalified energy improvements installed by a Michigan Saves authorized contractor
Financing amounts	\$5,000 to \$10,000,000
Term	24 to 60 months, but not to exceed the useful life of the equipment
Financing rates	<ul style="list-style-type: none"> Fixed rates starting at 3% APR
Key underwriting criteria	No history of bankruptcy, material liens, or judgments
Financing fees	<ul style="list-style-type: none"> Documentation fee of \$250 (customer responsible for their own legal fees)
Security	<ul style="list-style-type: none"> Some lenders allow corp-only up to \$150,000 with five years in business, 15+ employees, and strong business credit with verifiable by Dun & Bradstreet No personal guarantee on municipal financing, UCC-1, and, as required, specific filings including fixture filings

Prefunding

Contractors can receive prefunding pursuant to each lender's prefunding policy. The lender determines qualification during their business and financial stability review. Contractors must have approved credit to qualify. If the contractor does not qualify for 75 percent prefunding, then the lender pays the remaining balance to the contractor upon successful submission of the Michigan Saves certificate of completion (COC) and specification sheet. Payments can be made to multiple Michigan Saves authorized contractors as necessary.

Becoming a Michigan Saves Authorized Contractor

Contractor Application Process

To perform work under the Michigan Saves Commercial Financing Program, contractors must apply to Michigan Saves by submitting the contractor application and required documentation, paying a one-time, nonrefundable application fee and signing the contractor agreement (embedded in the online contractor application).

Contractors begin the application process by creating a username and password through the Michigan Saves online contractor portal (OCP) at https://www2.michigansaves.org/users/sign_up. Contractors should retain the user name and password, so they may access their account to submit the required project completion forms. Upon creating a user name and password, contractors then complete and submit the contractor application for review. Embedded within the application is a PayPal link, enabling contractors to pay the nonrefundable application fee with a credit card. Alternatively, contractors may mail a check to Michigan Saves. Contractors must attend the online contractor training session or watch a series of training videos and take a short quiz to fulfill the training requirement. The training videos can be accessed at <https://michigansaves.org/contractors/training/>.

Michigan Saves reviews all applications and verifies all documentation. If any information is missing or inadequate, Michigan Saves contacts the individual to update information. Lenders also screen the contractors. It is possible for a contractor to be approved by Michigan Saves for meeting the minimum program requirements but be denied by lenders for business and financial stability issues. Both Michigan Saves and the lenders must approve a contractor application for the contractor to become a Michigan Saves authorized contractor.

Michigan Saves generally reviews contractor applications and documentation within a few days of submission. Missing information and documentation will extend the length of the review process. As each contractor is authorized, a welcome packet is emailed with the following information:

- Michigan Saves certificate of authorization
- Funding instructions
- Commercial Financing Program Implementation Guide
- Utility buydown program flyers, as applicable
- Links to lender(s) credit application(s) and quote tools
- Contractor training presentation

Financing Customers through Michigan Saves

Customer Eligibility

To be eligible for a Michigan Saves loan, the customer must:

- Own or rent a commercial building in the state of Michigan
- Meet underwriting criteria (see Tables 1 and 2)

Loan Application Process

The Michigan Saves Commercial Financing Program is contractor driven. In some cases, customers will seek Michigan Saves authorized contractors via our searchable online database. In other cases, contractors will promote their affiliation with Michigan Saves through marketing materials. Regardless of the flow of contact between a customer and an authorized contractor, the loan application process remains the same. See Attachment 1 for additional information.

The following steps outline the loan application process:

Step 1: Customer works with Michigan Saves authorized contractor to identify eligible improvements and prepare the preliminary scope of work with cost estimate. A list of authorized contractors is available at <https://michigansaves.org/find-a-contractor/>.

Step 2: The business owner submits the signed credit application to the authorized lender. The cost and preliminary scope of work (e.g., HVACR, refrigeration units, etc.) should be attached to the application. Applications can be submitted to the lenders online or through email, fax, or mail.

Step 3: The lender approves or denies the credit application based on the business owner's financial history. For credit applications less than \$250,000, the lender can generally issue an approval notice within two hours. Additional financial documentation may not be necessary so long as company information is available through public sources.

For credit applications greater than \$250,000, the lender conducts an initial review and, if preliminary approval is given, requests two years of financial statements (or tax returns if financials are unavailable). The lender issues the final approval notice to the customer within two business days of receiving required documentation. If the customer is denied, the lender verbally notifies the contractor and discusses the actions necessary to approve the application. At the contractor's request, the lender can verbally notify the customer of a denial. A letter of denial may also be sent upon request.

Step 4: The lender prepares the EFA, equipment loan, or lease agreement. Details on the project, including vendor sales quotes, are needed at this time. The financing package is sent to the

business owner for a signature. The business owner must then sign and return the application package with any applicable fees or payments to the lender.

Step 5: Upon receipt of signed financing paperwork and applicable fees and payments, the lender prefunds the project and the contractor can begin the installation of the energy improvements. Multiple payments can be issued if the job has more than one authorized contractor.

Regular monthly billing of the business owner commences when the project is completed, and the loan documents are finalized. On any deals that are prefunded, the loan documents and the lender contract are signed by the business owner and take effect immediately, with the first payment will be due approximately 30 days thereafter.

Step 6: After installation, the contractor obtains the customer's signature on a COC provided by Michigan Saves. The contractor must then create a project specification sheet and submit the signed COC to the lender through the Michigan Saves OCP.

Step 7: Upon receipt of the signed COC and specification sheet, the lender will pay the contractor any remaining fund balance on the project, minus the 1.99 percent contractor fee.

Eligible Improvements

Michigan Saves financing may only be used for qualifying energy improvements and associated soft costs (e.g., labor and installation). All credit applications must include the identification number of an authorized contractor. Michigan Saves allows commercial and public entities to self-install the qualifying energy improvements if an authorized contractor has sold the equipment to the customer.

Eligible Measures

Under the Michigan Saves Commercial Financing Program, customers can finance any eligible energy improvement through a Michigan Saves authorized contractor. Eligible energy improvements include:

- Any measure, equipment, or appliance with an ENERGY STAR® label
- Any measure or equipment, including custom-engineered improvements, that receives a rebate or incentive from an investor-owned utility
 - Building controls
 - Building envelope improvements, such as exterior doors, insulation, roofing, and windows
 - HVACR equipment
 - Fans, pumps, and motors
 - Food service equipment
 - Light-emitting diode lamps and fixtures
- Renewable energy and energy generation systems, such as solar photovoltaic (solar PV) and solar thermal systems, electric vehicle charging stations, whole-building generator systems, whole-building battery storage systems, wind turbines, and combined heat and power systems
- Water efficiency and green infrastructure measures, like low-flow toilets and faucets, irrigation controls, water use audits, micro- and drip irrigation systems, and green roofs

All work must be performed in accordance with all applicable federal, state, and local codes and standards; contractors must obtain all required permits from local authorities.

Renewable Energy Measures

Customers can also use Michigan Saves financing for renewable energy measures like solar PV systems and solar thermal systems. The solar PV equipment (modules, inverter, and meter if necessary) must be approved by the California Energy Commission or the local utility provider. California Energy Commission lists of approved modules, inverters and meters can be found at <http://www.gosolarcalifornia.org/equipment/index.php>.

For roof- or ground-mounted solar PV system installations, authorized contractors shall obtain the appropriate city or municipal building permits. All solar PV installations must include a solar generation meter and meter enclosure. If the solar PV system is grid connected, it must comply with

current Michigan Utility Generator Interconnection Procedures (see http://www.michigan.gov/documents/mpsc/cat_1_procedures_406425_7.pdf for more information).

Small commercial wind turbines are eligible for financing through Michigan Saves.

Project Completion

Customer Loan Closing and Payment

After the work is satisfactorily completed, the customer and contractor will sign a COC. The contractor attaches the signed COC to the project specification sheet, which they must create within the Michigan Saves OCP. Once the specification sheet is completed and the signed COC is attached, the contractor will electronically submit the entire project record to the OCP. Receipt of the project record by the lender triggers final payment to the contractor, if the project was not completely prefunded, and project completion.

Payment to the contractor is via electronic funds transfer or check, as indicated by the contractor on the Michigan Saves contractor application.

Split Payments

The preference is to issue payment to a single contractor for the whole job—with that contractor paying any subcontractors. However, for jobs involving multiple contractors, the lender can issue individual checks to each contractor so long as they are Michigan Saves authorized. Notice of multiple contractors should be given at the time of the application.

Project Fees

Michigan Saves assesses participating contractors a fee of 1.99 percent of the amount financed on each transaction to sustain operations, including quality assurance (QA) functions. The lender will remit the Michigan Saves fee from the contractor's payment. If there is split funding with multiple contractors, the fee applies to each contractor's portion of the job.

Authorized lenders may also include document fees, not to exceed \$250, into the cost of the financing.

Program Forms

The following forms are required for each project financed by Michigan Saves. Table 3 describes each form, its purpose, and to whom it should be submitted.

TABLE 3. Program Forms

Form	Purpose/Use	Responsible	Submitted to	Format
Credit application	Determines if customer is approved for Michigan Saves financing	Customer	Authorized lender	Online or hardcopy
Closing financial documents	Closes financing with lender	Customer	Lender	Online or hardcopy as determined by lender
Certificate of completion	Certifies that work is complete and program eligible Provides for the release of certain program information Triggers loan closing and final payment to contractor, if applicable	Customer and contractor (signatures required)	Michigan Saves	Upload copy to Michigan Saves through OCP
Specification sheet	Summarizes the financed improvements and replaced equipment	Contractor	Michigan Saves	Online form in OCP

Quality Assurance

Contractors promoting Michigan Saves financing must provide high-quality work and comply with Michigan Saves requirements outlined in this implementation guide. Michigan Saves will perform certain QA functions to confirm that—on a consistent basis—the measures financed through Michigan Saves qualify under program guidelines and were installed in accordance with applicable program requirements and industry standards, ensuring the reasonable achievement of energy savings.

Quality Assurance Objectives

The QA objectives are to:

- Define and educate contractors on the program requirements to avoid problems and proactively identify potential issues
- Verify that financed measures are qualifying improvements under program guidelines
- Verify that contractors are meeting Commercial Financing Program guidelines in performing the work and related paperwork requirements
- Verify that there are no fraudulent or misleading actions on the part of the contractor or auditor
- Confirm customer satisfaction with contractor's performance and quality of work
- Provide an evaluation process for contractor performance and workmanship and the resolution of identified problems

The QA process begins as soon as a contractor submits the COC and specification sheet for a project—contractors should submit these documents as soon as the work is completed. Michigan Saves conducts periodic site inspections to verify installation of equipment and quality of work performed. QA also consists of a technical review of each project's scope of work pre- and post-installation.

Whenever possible, Michigan Saves coordinates with utilities and lenders on QA site inspections to avoid multiple inspections at a single location.

Quality Assurance Procedures

The QA procedures for overall program compliance and installation of measures are summarized in Table 4. These procedures combine contractor training and feedback through traditional oversight, while also providing a high level of assurance for customers that measures were installed correctly, a check for fraudulent activity, and continual improvement from contractors.

TABLE 4. Summary of Quality Assurance Procedures

QA measure	Purpose
Document review	Review COC for signatures and specification sheet for compliance with program guidelines
Customer satisfaction survey	Confirm contractor work quality and customer satisfaction with overall program—screen for site inspection
Phone call to customer	Verify customer satisfaction—screen for site inspection
Site inspections (periodic)	Verify accurate reporting and appropriate installation of measures

Document Review

After the COC and the specification sheet are uploaded through the OCP, Michigan Saves reviews the documents for accuracy and completeness. If the documents are not complete, Michigan Saves sends an email to the contractor asking for the missing information. If the missing information is not provided within two weeks, Michigan Saves will call or send a second email request and give the contractor another two weeks to provide the information. If the contractor does not respond, then Michigan Saves may issue a corrective action report (CAR) to the contractor.

Customer Satisfaction Survey

Michigan Saves sends a customer satisfaction email survey to each customer following the completion of the project. Customers rate their experience with Michigan Saves and the authorized contractor. All customers are given the opportunity to provide feedback, and all feedback that is received is anonymized, recorded, and made available in the “rating” column of the contractor search result. Michigan Saves will not provide names or contact information for any customer who submits feedback. Concerns with any customer comments or ratings should be submitted to Michigan Saves staff.

Phone and Site Inspections

After Michigan Saves reviews the documents for completion and accuracy, a certain percentage of projects will be selected for further review. Projects with unusual diagnostic test results or potential discrepancies will be flagged for site inspection. If additional projects need to be inspected to meet the minimum level of site inspections, projects will be selected at random.

Phone or site inspections will occur on two of the contractor’s first ten projects, and then 5 percent of projects thereafter. Initially, Michigan Saves staff will call the customer to confirm their satisfaction with the work and ask if they would like an onsite visit by staff. Michigan Saves staff will coordinate the site inspection directly with the customer.

Michigan Saves staff may request additional documentation in advance of a site inspection. This may include documentation of efficiency or equipment sizing, such as Manual J calculations, manufacturer documents, project invoice, or the startup manual used to calibrate a furnace. Contractors must have these documents on file and supply them within ten days of the request.

During a site inspection, Michigan Saves staff will perform the following tasks:

- Visually, and through conversation with customer, verify basic information about the structure and installed equipment
- Visually confirm that all work identified in work scope has been completed
- Verify that installation of equipment or materials is satisfactory
- Verify that no unsafe conditions from installed work exist
- Verify that permits were pulled, if applicable

Types of Deficiencies and Corrective Action Reports

All deficiencies identified during QA reviews and inspections will be categorized as safety, workmanship, or programmatic findings based on the guidelines provided below. All deficiencies will require a corrective action, as indicated on the CAR.

Any repeated deficiencies will be cause for evaluation of contractor program status or dismissal from the program. If objective evidence is not supplied indicating that corrective actions have been addressed, including pictures or other such evidence, Michigan Saves may require an additional field inspection to verify the completion of the corrective action.

Safety Deficiencies

Safety deficiencies detected during site inspections must be addressed by the contractor within 48 hours of receipt of the CAR, because there is an immediate health and safety risk to the homeowner.

Safety deficiencies may include:

- Electric, fire, or structural hazards to occupant that were part of, or due to, installation
- Failed combustion safety testing results
- Gas leaks
- Improper clearance to combustibles that were part of, or due to, installation
- Improper pipe wrap installation that creates a combustion hazard
- Serious moisture issues that were not corrected by the installed measures
- Unsafe conditions from installed work that are an immediate risk to occupants
- Other issues as defined by Michigan Saves staff during the site inspection

Workmanship Deficiencies

Workmanship deficiencies detected during inspections must be addressed by the contractor within 14 days of contractor receipt of the CAR. Examples of workmanship deficiencies include:

- Failure to follow all applicable laws, codes, and ordinances
- Failure to provide homeowner with furnace calibration worksheet (startup sheet)
- HVAC equipment is improperly installed or not operational
- HVAC system is over- or undersized by more than 20,000 BTUs when compared to Manual J calculation
- Missing carbon monoxide detector, conforming to Underwriters Laboratory standard 2034, per BPI
- Poor workmanship
- Other issues as noted by inspector

Programmatic Deficiencies

Programmatic deficiencies are issued by Michigan Saves during documentation review. Contractors must address deficiencies within 30 days of contractor receipt of the CAR. Examples of programmatic deficiencies include:

- Failure to submit COC or specification sheet in a timely manner
- Failure to respond to safety and workmanship CARs
- Financing of nonqualifying measures
- Installation of measure was different from one specified on Michigan Saves specification sheet
- Installation of eligible measures not recorded on the specification sheet
- Misrepresentation
- Other issues noted by inspector

Contractor Response to Corrective Actions Reports

All inspection noncompliance and/or deficiencies, whether safety, workmanship, or programmatic, will be documented on a CAR and transmitted to the contractor. Contractors may be asked to submit a written response to Michigan Saves indicating how they implemented the corrective action required and what steps will be taken to prevent future deficiencies. A contractor's failure to respond by the time designated on the CAR may result in a change in contractor status. No response or a late response to a CAR may result in the contractor's suspension or termination.

Response times may vary, and contractors should consult the CAR for the response time specific to a given project. General contractor response times to correct a deficiency of installation are shown below. Contractors may be required to implement longer-term measures to prevent further deficiencies in the future, such as staff training.

- Safety corrective actions: Must be remedied by the contractor within 48 hours or time noted on CAR.
- Workmanship corrective actions: If possible, deficiency must be remedied by the contractor within 14 days. If a remedy is not possible (i.e., the contractor has oversized a furnace), then the contractor must submit a written action plan to Michigan Saves for preventing future deficiencies.
- Programmatic corrective actions: If possible, deficiency must be remedied by the contractor within 30 days. If a remedy is not possible, then the contractor must submit a written action plan to Michigan Saves for preventing future deficiencies.

Michigan Saves is responsible for verifying and approving any corrective actions submitted by the contractor. If CARs are incomplete or do not adequately address the deficiency, Michigan Saves will notify the contractor of the deficiency who must then resubmit the CAR response.

Written Response

CARs include space for contractors to submit a written response to the deficiencies noted by the inspector. Upon request, contractors who receive a CAR should return it with a written response explaining what steps they will take to correct the noted deficiency (short-term corrective actions) and ensure that such deficiencies are not repeated (long-term corrective actions). Long-term corrective actions may include changes to a contractor's business procedures and staff or training for current staff. Objective evidence of corrective actions, such as pictures, training records, and updated procedural manuals, must be supplied for all safety and workmanship CARs and as needed for any minor CARs.

Contractor Participation Status

Contractors who successfully complete one project every 12 months, without any major issues, will remain in good standing. Michigan Saves staff will evaluate contractor performance on, at least, an annual basis to ensure that contractors continually meet our standards for workmanship and comply with program requirements. Michigan Saves reserves the right to terminate contractors, who do not meet our quality standards or who repeatedly fail to comply with program requirements.

Michigan Saves will use best judgment, based on the number and severity of issues, when determining if a contractor's participation in Michigan Saves should be terminated. Depending on the severity, number, and type, the following noncompliance issues could lead to a contractor's termination.

- Failure to complete one loan every 12 months or failure to pay the \$25 annual fee when a loan is not completed each year
- Failure to follow program guidelines and requirements, including form completion or installation requirements
- Health and safety issue in home resulting from work

- Loss of license or insurance or other requirements
- Misrepresentation
- Convictions or disciplinary action by state or other official body

At all times, Michigan Saves, at its own discretion and without reason, retains the right to terminate a contractor from participating in the program, as outlined in the contractor agreement.

Customer Inquiries and Complaints

Michigan Saves encourages each customer to research the contractor's work through word of mouth; contractor ratings; customer networks, such as Angie's List; and the Better Business Bureau.

If a customer files a complaint regarding a contractor's performance, workmanship, or professionalism, Michigan Saves will note the complaint in the contractor's permanent file and take appropriate action. Repeated customer complaints can result in a contractor's suspension or termination from Michigan Saves. Customer complaints will be flagged and reviewed by Michigan Saves and may be prioritized for a site inspection. Site inspections do not constitute an effort to resolve any disagreement between the customer and the contractor.

Customers should direct any billing questions to their lender.

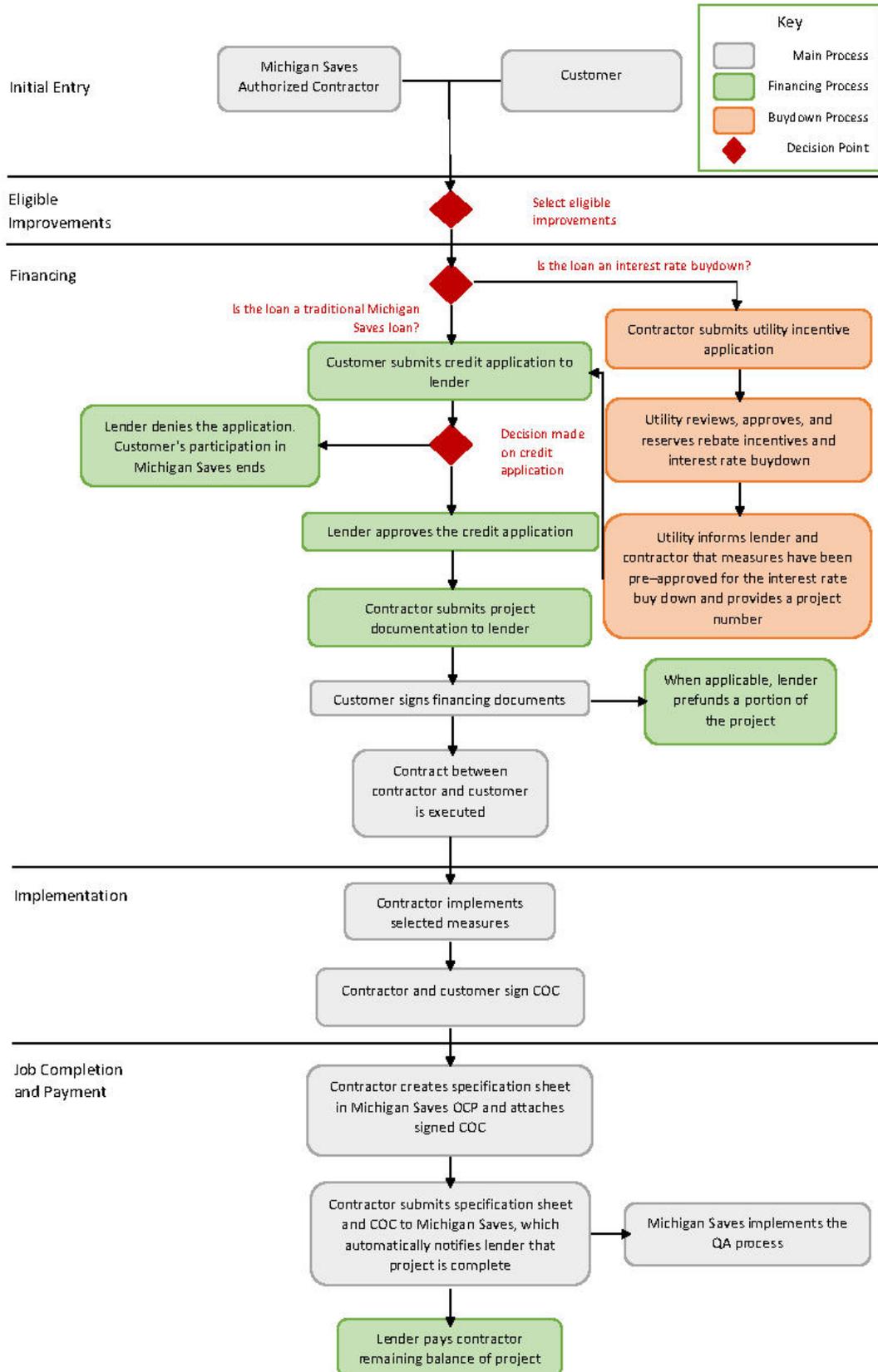
Marketing

Upon authorization, contractors will receive a welcome kit that provides marketing resources to help promote Michigan Saves to customers. The welcome kit includes contractor identification cards, customer stories, and rack cards. Additionally, authorized contractors may download Michigan Saves logos for use on their website and marketing materials.

If contractors wish to develop their own marketing materials and use the Michigan Saves logo, they must follow the brand standards, available at <https://www.michigansaves.org/wp-content/uploads/2020/11/2020-MI-Saves-Brand-Standards.pdf>.

. If a contractor develops marketing materials that include the Michigan Saves logo, Michigan Saves reserves the right to request changes or terminate any materials that do not meet our guidelines. The contractor bears all changes and associated costs. Contractors can request a review of draft materials, but this is not required. Send drafts to registration@michigansaves.org. Expect response within three business days.

Attachment 1: Commercial Financing Program Process Flowchart





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