



Guide to LEED Certification: Neighborhood Development

Version: LEED v4

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Introduction

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This document includes guidance for LEED v4 Neighborhood Development projects. Looking for LEED 2009? [View the policies and guidance for LEED 2009 for Neighborhood Development.](#)

Congratulations on your decision to pursue LEED v4 certification for your neighborhood development project or plan!

You're on your way to increasing the value and environmental integrity of your community. This guide will lead you through the process.

LEED for Neighborhood Development (LEED ND) certification involves four main steps:

1. **Register** your project by completing key forms and submitting payment.
2. **Apply** for LEED certification by submitting your completed certification application to Green Business Certification, Inc. (GBCI: the organization responsible for administering LEED certification) and paying a certification review fee.
3. **Review.** Your LEED application is reviewed by GBCI.
4. **Certify.** Receive the certification decision. If you've earned LEED certification: congratulations!

If you need assistance at any time, please [contact us](#).

REGISTER

Registration is an important step in the LEED certification process, signifying your intent to pursue LEED certification.

Before you begin, you'll want to make sure that your project or plan meets all of the LEED Minimum Program Requirements, the minimum characteristics that make a project appropriate for pursuing LEED.

LEED v4 ND projects must:

- Be in a permanent location on existing land
- Use reasonable LEED boundaries
- Comply with project size requirements

Visit the [LEED Credit Library](#) to read the specifics on Minimum Program Requirements.

Next up: select the appropriate LEED rating system using our [Rating System Selection Guidance](#).

The content in this guide applies to:

- **LEED v4 for Neighborhood Development Plan:** Registration for LEED v4 ND Plan is available for neighborhood-scale projects in a phase of planning and design with no more than 75% of the project's total floor area constructed. We designed this adaptation to help you market and fund your project among prospective tenants, financiers, and public officials by affirming your intended sustainability strategies. If your project is in the early conceptual phase (less than 100% of your project's total floor area has been entitled by the local governing authority), the project has the option of pursuing a letter of support review, prior to the plan review. This letter of support may be desirable to teams still working through the approvals process who wish to demonstrate an early commitment to LEED ND. Once the project is fully entitled, the project may pursue recognition as a LEED certified plan. Please refer to the [USGBC Trademark Policy](#) for more information on how to promote your LEED-certified or –registered plan.
- **LEED v4 for Neighborhood Development Built Project:** Is your neighborhood-scale project near completion, or was it completed within the last three years? If so, you'll want to pursue LEED ND: Built Project certification. We consider a project substantially complete if the certificates of occupancy for buildings and acceptance of infrastructure have been issued by public authorities with jurisdiction over the project. A project may be registered under LEED v4 ND: Built Project at any time, but must be substantially complete before submitting for review. If your project previously earned LEED ND: Plan certification, this adaptation will help your team earn recognition for constructing the development to the level of sustainability indicated in your plan.

Note: If you are unsure about your project's rating system selection or LEED ND eligibility, you are encouraged to [contact us](#) for additional

guidance.

Now, onward to registration: While functionality for LEED v4 is not yet live in [LEED Online](#), we have established an alternative process through which interested project teams can still register, document, and submit LEED ND applications to GBCI. If you are interested in learning more about this process, please [contact us](#) and specify that you are ready to register a LEED v4 ND Built Project or Plan.

After you have registered your project, the next step is to assemble your project team!

Team Roles

Individuals on your project team will be called on to perform certain roles throughout the LEED certification process. Here's a rundown of who's who so you can select your team wisely:

Owner: The owner of the project is the person (or entity) who has the authority to hold and control the land within the project boundary, and accepts (or authorizes the acceptance of) the certification agreement. While there may be multiple owners for a particular project (if so, please submit a [Confirmation of Primary Owner's Authority Form](#)), we ask that you identify a single individual to administer the certification process. Big takeaway: the owner has ultimate control over the LEED certification application, meaning that GBCI will respond to the owner regarding the administration of the project over any other member of the project team.

Agent: The agent is the person (or entity) who is granted actual authority by the owner to register the project and accept the certification agreement. If you are using this option, remember to work with GBCI after the project is registered to send us a signed [Confirmation of Agent's Authority Form](#).

Project Administrator: This team member acts as a project manager, overseeing the LEED project as well as which project team members are responsible for certain tasks, credits or prerequisites. The project administrator plays a key quality role by checking that the LEED application is complete and accurate before submitting the project to GBCI for review, and accepting the review results once the review is complete. Note: the individual who initially registers the project will automatically be assumed to be the project administrator, but the owner may transfer this role to another team member at any time.

APPLY

Now comes the fun part: you're ready to collect and submit the appropriate documentation for review by GBCI. Working with your project team, you will identify LEED credits to pursue and assign them to project team members. Your team will then collect information, perform calculations and analysis, and prepare documentation demonstrating your achievement of the prerequisites and your selected credits.

Once your application is prepared, submit your completed materials and make sure to perform a rigorous quality check of your entire application before submitting for review. We suggest that you open each form and check that you have included all required information, and open each file to verify that you have submitted the correct document. Cross-check credits and prerequisites to make sure that you have reported common data points, such as total project acreage, number of dwelling units, and nonresidential square footage consistently across your application. Want more tips? Here are some characteristics common among high quality submissions:

- Relevant prerequisite/credit information is clearly highlighted within the submission
- File attachments are clearly and intuitively labeled
- Only required documentation is submitted (if only a few pages are needed to provide the required credit/prerequisite information, no need to submit more!)
- Concise narratives are used to describe project-specific circumstances (these are really helpful for the GBCI reviewer)

All finished? Ready, set, submit! Don't forget to pay your certification review fee - and remember, your review will commence once your payment has cleared our system.

Important considerations

Project boundary

One of the key elements of LEED ND projects and documentation is the LEED ND project boundary. Note that any changes to the boundary between reviews must be communicated to GBCI in advance of submitting for review and additional documentation and/or fees may be required.

REVIEW

After you've submitted your application and paid the review fee, GBCI will conduct a thorough technical review. But don't kick back yet – you'll need to be an active participant throughout the process. There are several different types of reviews that LEED ND projects may pursue:

Note: When registering your project, you should always consider what its eligibility status will be at the time you submit for review. For example, if your project is not yet fully entitled, but will be by the time you submit for plan review, it's okay to register for LEED ND: Plan certification and complete your application accordingly. The same is true for projects approaching substantial completion. They may register for LEED ND: Built Project and submit when ready.

LEED ND Prerequisite Review: SLL & NPD only (Optional)

The LEED ND prerequisite review is an optional review of the Smart Location and Linkage (SLL) prerequisites and/or the Neighborhood Pattern and Design (NPD) prerequisites. These prerequisites address the location of your project site, the avoidance of sensitive areas like wetlands and endangered species habitat, and the project's contextual site design and urban design criteria. This path is most beneficial if you are uncertain whether your project can meet the requirements of these prerequisites.

Note: Project information as detailed in the project information workbook and form must be provided to compliment documentation of the prerequisites.

Letter of Support Review (Optional)

If your project is in the early conceptual phase (i.e., less than 100% of project's total floor area entitled by the local governing authority), you may opt to pursue a letter of support review prior to a plan review. The optional letter of support review is designed to help your team gain support for the project during the local planning approval process.

Plan Review

If your project is fully entitled and up to 75% constructed (based on floor area), you can pursue LEED ND: Plan certification.

Built Project Review

If your project is substantially complete with all certificates of occupancy awarded, your project is eligible to pursue LEED ND Built Project certification.

Expedited review

In a time crunch? Contact GBCI at least five business days (please allow longer if you are paying by check) prior to submitting an application to request an expedited review to cut your review time in half. Please note that there is an additional charge for this service, and GBCI's ability to fulfill your request depends on their current review capacity. If GBCI can accommodate your request, they will confirm availability and provide a custom review schedule for your project.

Review process

While the type of review you'll choose to pursue will vary depending on your sustainability goals, the specific needs of your project, and how far along in the development process the project is, the process for each of the reviews described in the section above is the same:

Part 1: Preliminary Review

- You will first submit your application for a preliminary review. GBCI will check your application for completeness and compliance with the selected rating system and attempted credits.
- GBCI will respond with its preliminary review within 20-25 business days for most review options, indicating which prerequisites and credits are anticipated to be awarded during final review and which are denied pending further information.
- Your team can accept the preliminary review results as final if you are satisfied, or prepare new or revised documentation or attempt additional credits before submitting for final review.

Part 2: Final Review (optional)

- The final review stage allows you to submit supplementary information or amend the application. GBCI suggests you submit these clarifications within 45 business days after receiving the preliminary review results. GBCI will then review revised or newly submitted prerequisites and credits, and reconsider any anticipated credits or prerequisites for which information has changed since the return of the preliminary review.
- GBCI will respond with a final LEED certification review report within 20-25 business days, marking prerequisites and attempted credits as either awarded or denied.
- Like the preliminary review, you can either accept the review results as final, or revise your application and resubmit, this time as an appeal.

Part 3: Appeal Review (optional, appeal fees apply)

- The appeal review stage provides one additional round of review and allows you to submit supplementary information, amend the application or add new credits not previously attempted. GBCI will review the pending or newly submitted prerequisites and credits, and reconsider any anticipated credits or prerequisites for which information has changed since the return of the final review. The fee associated with appeals varies depending on the level of complexity of the credits or prerequisites involved in the appeal.
- GBCI will respond with an appeal LEED certification review report within 20-25 business days, indicating which prerequisites and attempted credits have been either awarded or denied.
- Like the final review, you can either accept the appeal review results as final, or submit a further appeal. There is no cap on the number of appeals you may submit.

Review Options		
LEED v4 for Neighborhood Development: Plan	Letter of Support	Preliminary and final reviews available for all options
	Prerequisite (SLL & NPD)	
	Certification	
LEED v4 for Neighborhood Development: Built Project	Prerequisite (SLL & NPD)	
	Certification	

Submitting an inquiry

Having difficulty fulfilling a rating system prerequisite or credit? Have you thought of an alternative way to interpret a credit or path to fulfill it? We've established inquiries so that you can gain clarification before you register your project or plan or as you're working through your LEED application. All inquiries are filed through [LEED Online](#) and should address only one credit or prerequisite at a time. Here are your options:

- **Credit Interpretation Ruling (CIR):** A CIR allows you to obtain technical guidance related to a particular credit or facet of the LEED rating system. Our review team will let you know if your interpretation of a particular credit or prerequisite is consistent with published rating system requirements. When it comes time to submit your application for review, you will need to provide documentation demonstrating fulfillment of the CIR and include the approved CIR within your application for certification. You may file an appeal if you are not satisfied with the result of your CIR using the process above. Keep in mind, also, that CIRs are not precedent setting; your project team can only utilize the ruling for the project under which the CIR was submitted.
- **LEED Interpretation:** Administered by USGBC, LEED Interpretations focus on the evolution of the LEED rating system and are published periodically in the form of official addenda. They are developed through a deliberative process involving LEED committees and are not conducted within the standard 20-25 business day timelines. Like Project CIRs, LEED Interpretations provide answers to technical inquiries about applying LEED in situations not already addressed by the rating systems, reference guides and MPRs. They differ from Project CIRs in that, as USGBC issued addenda, these rulings are precedent-setting and applicable to all projects registered in the future. As in the case with all addenda, projects registered before a LEED Interpretation is published may voluntarily elect to follow these revisions. You can access published LEED Interpretations online in our searchable [addenda database](#).

Important considerations

Deadline for submitting for review

LEED ND Plan projects are required to submit for review before greater than 75% of project floor area is complete. LEED ND Built Project projects must submit for review no later than three years after the project is substantially completed. If you decide you no longer want to pursue LEED certification for your project, we understand. Please [contact GBCI](#) so that they can close your application, in order to maintain accurate records.

Transition between Plan and Built Project

If your project has already been certified as a LEED ND: Plan and you're seeking an additional certification as a LEED ND: Built Project, you'll need to proceed through the registration process as though the project were being newly registered. Note: projects are limited to registering under versions of the rating system that are open for registration. [View the LEED registration close and certification close deadlines](#).

Appeals

If you feel that the results of a review appeal or a CIR appeal are incorrect and wish to challenge those results, you may do so by contacting GBCI.

Accepting your results

You've made it to the finish line: accepting your review results is the final step in the LEED review process. Once your final application review is complete, your project team can either accept or appeal GBCI's final review report. Once you've accepted the final review report you will no longer be able to appeal the review decisions for specific credits or prerequisites, so please double (or triple) check that you have achieved all prerequisites and targeted credits before accepting the final review results. If you have completed a prerequisite review or letter of support review, we applaud you on setting yourself up on a path towards ND: Plan or ND: Built Project certification. If you've achieved ND: Plan or ND: Built Project certification: congratulations from all of us at USGBC and GBCI!

CERTIFY

While all LEED-certified projects and plans are a cut above the rest, each is assigned one of four levels of certification to acknowledge the degree of achievement. The number of points that your project earns determines the level of LEED certification that you will receive.

Certification Levels

The number of points a project earns determines the level of LEED Certification that the project will receive.

LEED Certified™: 40-49 points earned

LEED Silver®: 50-59 points earned

LEED Gold®: 60-79 points earned

LEED Platinum®: 80+ points earned

Promote your project

Once you've earned certification, it's likely that you'll want to tell the world. You should. LEED certification benefits your business's bottom line and underscores your sustainability efforts. It's a cause for celebration!

Our [public relations guide](#) can help you do that. You'll also have the option to order formal certificates of recognition. Teams that have

Our [public relations guide](#) can help you do that. You'll also have the option to order formal certificates of recognition. Teams that have earned ND: Built Project certification may also choose to order LEED plaques.

Note: the public relations guide will also describe how to talk publicly about your project if you have completed a prerequisite review or a letter of support review.

(Psst... did you know that USGBC Platinum-level members receive 20 hours of dedicated public relations support from USGBC's in-house communications team? Learn more about [Platinum membership](#).)

Project Information: How USGBC handles your data

Your work with LEED is something to be celebrated – and communicated to the world at large. Achieving LEED certification gives you the opportunity to share your project strategies, photos and insight, and play a pivotal role in educating other project teams.

How is USGBC utilizing your project data?

We use your project data for the greater good: to educate and provide resources for LEED project teams and others around the world, showcase your strategies, and share the size and power of the green building movement.

LEED-registered and certified projects are, by default, considered “public” projects, and thereby included in USGBC’s public LEED project directory. A listing in this directory allows the general public and members of the media to look up your project listing and its related details.

Here’s a full list of the data and project elements that may be listed in the project directory:

Project directory information:

- Project name
- Project ID
- Physical address
- Date of registration
- Date of certification
- Certification level
- Total points earned
- Project scorecard
- ACP (Alternative Compliance Path) selection
- Rating system and version
- Owner type
- Owner name
- Owner organization
- Gross square footage
- Total property area
- Project type

All “public” projects also benefit from publicity opportunities: we may utilize your project data to create case studies highlighting your project’s features, reference your project on our website or to the media, or create other derivative works.

Information that may be used for articles, project profiles, other features:

- Service providers
- Project team members
- Promotional or other project photographs
- Project strategies for certification
- Quotations from team members

You are free to opt-out of the LEED project directory and publicity opportunities as a “private project” at the time of registration. All private projects that earn certification will be prompted once more to transition to public status (we can’t help ourselves, we love sharing good news!). You will need to re-confirm your “private” status at that time, if you wish to retain it.

Important considerations

Deadline for achieving certification

Each rating system will remain open and available for certification for at least six years after the rating system registration close date. To certify your project under a specific rating system, you must submit for certification by that rating system’s certification close date, also called the sunset date. If you have difficulty meeting this deadline, please reach out to GBCI—they’ll work with you on a solution for your project. [View the LEED registration close and certification close deadlines](#) .

Revocation of LEED Certification

In rare situations, LEED certification may be revoked. We’ve created the Certification Challenge Policy to ensure that all LEED project submittals and subsequent reviews by GBCI team members are done so with integrity, accuracy and truthfulness. A certification challenge may be initiated by GBCI or by any third party within 18 months of a project’s certification. In line with the policy, you’ll need to retain all project documentation related to your certification, and the achievement of prerequisites and credits, on-site at your certified project for two years after receiving certification, to ensure that this information is available in case of a challenge.

This Certification Challenge Policy has been put in place to protect the integrity of the LEED certification program as a credible, accurate, and industry-recognized system for evaluating the design and construction of sustainable buildings. GBCI intends this policy to function as both a quality check on GBCI LEED reviews, as well as an instrument designed to detect and remedy incidents of intentional or inadvertent misrepresentation which result in the inappropriate award of LEED certification. This policy is not meant to serve as a vehicle

for the adjudication of disputes between outside parties. Accordingly, this policy and the certification 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. Complaints that might warrant initiation of the Certification Challenge Process should be submitted to legal@gbci.org.

1.1 Certification Challenge Overview: All persons participating in the submission of information in applying for an award of LEED certification must be truthful, forthcoming, and cooperative in their dealings with GBCI; however, it is the responsibility of the project owner to confirm and represent the veracity and accuracy of the documentation submitted. To the extent the veracity or accuracy of such documentation, or GBCI's evaluation of the same, is called into question, GBCI may initiate a certification challenge thereby revisiting its determination that the submitted documentation properly demonstrates that the project satisfied all credits, prerequisites, and MPRs necessary to achieve the awarded level of LEED certification. A project owner may defend against such certification challenge by electing to participate in the process described below. Based on the final determination of such a challenge, GBCI retains the right to reduce the level of LEED certification awarded or revoke an award of LEED certification altogether.

1.2 Basis for an Initiation of a Certification Challenge: GBCI reserves the right to institute investigations and review documentation for any reason or for no reason at all. In addition, GBCI encourages third parties who wish to make a complaint, or bring to light information affecting the grant of LEED certification to do so in the following manner. Parties seeking to submit a complaint or report information affecting the grant of LEED certification must have specific personal knowledge of an event or condition that would prevent a project from satisfying a particular credit, prerequisite, or MPR. Complainants must indicate the credit, prerequisite, or MPR that is affected. Further, such persons must indicate to the fullest extent possible, in the form of a written statement, details of such event or condition including the following: i) the alleged offending conduct or condition; ii) the persons involved; iii) other persons who may have knowledge of the facts and circumstances concerning the allegation, including contact information for such persons; and iv) the identity of the person presenting the complaint including such person's full name, address, email, and telephone number. Complaints must be submitted to GBCI within eighteen (18) months of the award of LEED certification for a project. GBCI cannot guarantee anonymity to persons submitting complaints. If GBCI determines that the complaint is frivolous or irrelevant to the credits, prerequisites and MPRs required for LEED certification, no further action will be taken.

1.3 Basis for an Initiation of a Certification Challenge: GBCI reserves the right to institute investigations and review documentation for any reason or for no reason at all. In addition, GBCI encourages third parties who wish to make a complaint, or bring to light information affecting the grant of LEED certification to do so in the following manner. Parties seeking to submit a complaint or report information affecting the grant of LEED certification must have specific personal knowledge of an event or condition that would prevent a project from satisfying a particular credit, prerequisite, or MPR. Complainants must indicate the credit, prerequisite, or MPR that is affected. Further, such persons must indicate to the fullest extent possible, in the form of a written statement, details of such event or condition including the following: i) the alleged offending conduct or condition; ii) the persons involved; iii) other persons who may have knowledge of the facts and circumstances concerning the allegation, including contact information for such persons; and iv) the identity of the person presenting the complaint including such person's full name, address, email, and telephone number. Complaints must be submitted to GBCI within eighteen (18) months of the award of LEED certification for a project. GBCI cannot guarantee anonymity to persons submitting complaints. If GBCI determines that the complaint is frivolous or irrelevant to the credits, prerequisites and MPRs required for LEED certification, no further action will be taken.

1.4 Certification Challenge Investigation Process: In performing a formal investigation, GBCI will review any or all of the project's documentation that GBCI, in its sole discretion, deems relevant. GBCI may request supplemental information from the person(s) making the complaint and may require the complainant to provide a statement in the form of an affidavit attested to under penalty of perjury. GBCI may request information from the project team, project owner, and/or others involved in the project.

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. No staff or technical consultant may: i) investigate any matter regarding a project he or she previously reviewed; ii) investigate any matter in which his or her impartiality might reasonably be questioned; or iii) investigate any matter which presents an actual, apparent, or potential conflict of interest. GBCI representatives who are tasked with conducting a site visit must sign an engagement agreement and abide by GBCI requirements regarding conflicts of interest and confidentiality.

1.5 GBCI Preliminary Staff Findings: Upon the conclusion of an investigation, if GBCI determines in its sole discretion that the project owner submitted truthful and accurate documentation when applying for certification and that sufficient evidence exists to demonstrate that (i) all prerequisites and MPRs were properly completed at the time certification was conferred and (ii) the minimum number of credits were properly completed at the time certification was conferred such that the project obtained the requisite number of points necessary to achieve LEED certification at the level awarded, no further action will be taken. The project owner and any persons submitting complaints will be notified of this decision. If GBCI determines that the documentation submitted was not completely truthful and accurate, or that insufficient evidence exists to demonstrate the project properly achieved LEED certification at the level awarded, GBCI shall transmit a statement of its findings to the project owner by email via verifiable method of delivery, setting forth the affected credits, prerequisites, and/or MPRs, and including a written statement:

1. of the facts constituting the inaccurate grant of credit, prerequisite, minimum program requirement, or falsely submitted documentation and the credits/prerequisites/minimum program requirements affected;
2. that the project owner has thirty (30) calendar days after receipt of such statement;
3. identifying the proposed sanctions determined by GBCI potentially including revocation of LEED certification, or reduction of the level of LEED certification awarded.

1.6 Stage 1: Contesting GBCI Preliminary Staff Findings: If the project owner seeks to contest the findings, or is unwilling to accept the determined sanctions, such owner must submit a written response addressing the Preliminary GBCI Staff Findings and/or the determined sanctions within thirty (30) calendar days after the owner's receipt of such statement. The project owner may also submit additional information related to the challenged LEED program requirement(s). If the project owner accepts, or fails to timely respond to such statement and underlying findings, GBCI shall enact the determined sanctions and close the matter. Such acceptance, or failure to respond, shall constitute a waiver of the right to a review or hearing and appeal of the same.

Upon receiving a response to this statement, GBCI staff shall make a determination as to the disposition of the challenge and identify the sanctions to be imposed. GBCI shall provide notice of such determination and sanctions to the project owner along with a statement:

1. that the owner or representative thereof may request an oral hearing (in person or by phone) or a review by written briefing for the disposition of the matter, with the owner bearing its own expenses;
2. that the owner or representative may appear in person, may examine and cross-examine any witness under oath, and may produce evidence on its behalf;
3. that if the owner disputes the findings, or requests a review or hearing, the owner thereby consents to the formation of a Review Panel for the purpose of rendering a decision on the evidence before it, and further agrees to comply with any applicable sanctions subject to an appeal; and
4. that the project owner shall be responsible for all costs of the hearing or review, including but not limited to the costs of the Review Panel, the costs of the hearing or review, and the costs of the appeal.

4. those certain administrative fees, as detailed in Pricing Appendix A, apply if the project team requests a written review or hearing.

1.7 Stage 2: Written Review or Hearing of a GBCI Staff Determination: If a project owner seeks to contest the determination or sanctions issued by GBCI staff, the project owner may submit a request for either a hearing or review by written briefing. The fees outlined in Pricing Appendix A must be provided to GBCI within thirty (30) calendar days following the date the owner's written request was received by GBCI.

If the project owner requests a hearing or written review, the GBCI Chair in consultation with the GBCI President shall appoint three persons to serve on a Review Panel, each of whom shall be qualified by virtue of training and experience to have the appropriate technical knowledge in the relevant LEED program requirements. No member of such Review Panel may: i) review any matter regarding a project he or she previously reviewed; ii) review any matter in which his or her impartiality might reasonably be questioned; or iii) review any matter which presents an actual or apparent conflict of interest relating to the project.

If the project owner requests a written review, GBCI will forward its findings and the response of the project owner to the Review Panel. Written briefing may be submitted within thirty (30) calendar days following receipt of the request for such written review.

If the project owner requests a hearing, GBCI shall forward its findings and the response of the project owner to the Review Panel and shall designate one staff member to present the findings and any substantiating evidence, to examine and cross-examine witnesses, and to present the matter during the hearing. The Review Panel will schedule a hearing after the request is received, allowing for a period of at least thirty (30) days to prepare for such hearing, and will send by email and via verifiable means of delivery, a Notice of Hearing to the project owner. The Notice of Hearing will include a statement of the time and place selected by the Review Panel. The project owner may request modification of the time and place for good cause.

The Review Panel, GBCI, and the project owner may consult with and be represented by counsel, make opening statements, present documents and testimony, examine and cross-examine witnesses under oath, make closing statements and present written briefs as scheduled by the Review Panel. To the extent a project owner or representative fails to attend the hearing in person or by phone, such hearing shall commence as scheduled without representation by the owner. The Review Panel will determine all matters related to the hearing. Formal rules of evidence will not apply. Relevant evidence may be admitted. Disputed questions will be determined by the Review Panel.

GBCI will meet its burden of proof if it is able to demonstrate by a preponderance of the evidence, and the project owner is unable to refute either that the project owner failed to submit truthful, and accurate documentation when applying for certification, or that insufficient evidence exists to demonstrate that (i) all prerequisites and MPRs were properly completed at the time certification was conferred and (ii) that the minimum number of credits were properly completed at the time certification was conferred such that the project obtained the requisite number of points necessary to achieve LEED certification at the level awarded.

Upon the conclusion of a review or hearing, if the Review Panel determines that GBCI has not met this burden of proof no adverse action will be advised and the matter shall be closed. If the Review Panel determines that GBCI has met this burden of proof it shall identify the appropriate sanctions to be carried out by GBCI.

The Review Panel will issue a written decision following the review or hearing. This decision will contain factual findings, conclusions, and any sanctions if appropriate. Such written decision shall be sent promptly by email via verifiable means of delivery to the project owner and any persons submitting complaints.

1.8 Stage 3: Appeal of a Review Panel Decision Before GBCI Board of Directors: If a project owner seeks to contest the decision of the Review Panel, such owner may submit a request for an appeal to the GBCI Board of Directors. All requests for appeals must be submitted in writing and sent to GBCI by verified and traceable email, U.S. Postal Service mail, personal delivery, or private courier (such as Federal Express, United Parcel Service, etc), within thirty (30) calendar days after the owner's receipt of the Review Panel's decision. Requests for appeals must be accompanied by written briefing setting forth the basis for the appeal. If the project owner requests an appeal in accordance with this section, the fees outlined in pricing Appendix A must be provided to GBCI within thirty (30) calendar days of GBCI's receipt of such request.

In order to overturn a certification challenge decision by the Review Panel, it shall be the burden of the project owner to demonstrate to the satisfaction of the GBCI Board of Directors that such decision was arbitrary or capricious.

The GBCI Board of Directors will render a written decision based on the record below and written briefs (if any); there will be no oral hearing. The decision of the GBCI Board of Directors will be mailed promptly by certified mail, return receipt requested, to the project owner. Decisions rendered by the GBCI Board of Directors shall be final. Persons submitting complaints shall be notified of the decision of the GBCI Board of Directors.

1.9 Revocation of LEED certification: Based on the final determination of a Certification Challenge, GBCI retains the right to reduce the level of LEED certification awarded, or to revoke an award of LEED certification.

GBCI retains the right, in its sole discretion, to revoke LEED certification from any project where it is denied access to a project for the purposes of performing an audit or site visit, or it is prevented from examining documentation related to the project's design, construction, and/or operations pertaining to LEED certification, as a result of a project owner being unwilling or unable to provide such access or documentation.

GBCI retains the right, in its reasonable discretion, to revoke LEED certification from any project where it is denied access to, or for which it is not provided with, energy and water use data on an ongoing basis after LEED certification is conferred, as is required.

To the extent a project is subject to revocation of LEED certification, such project will be removed from the LEED certified project database and may no longer be referred to as a LEED certified project. GBCI shall identify the project's certification as having been revoked. Additionally, if GBCI revokes certification of any project for which a Platinum-level certification was previously awarded, and for which the project owner received a rebate of any or all certification fees, the owner of such project shall be liable for refunding all monies so received to GBCI. Further, the owner of such project shall immediately terminate all use and display of any LEED trademarks, associated logos, and other intellectual property licensed by GBCI.