

To: House Natural Resources, Fish and Wildlife Committee
From: Jim Bradley, President, Home Builders and Remodelers Association
Kemener Whalen, Blackrock Construction
Date: March 19, 2019
Re: Follow-up to HBRA testimony on RBES and Act 250 of March 14, 2019

We thank the committee for their time last week and thought it would be helpful to highlight a few points from our presentations.

With regard to Residential Building Energy Standards (RBES) we believe:

- RBES-compliant projects protect occupants/homeowners. Projects that are delivered below the RBES standard expose the owner to potential health risks in addition to increased operational and maintenance costs due to poor energy performance.
- There is currently no authority outside of a small number of municipalities to enforce RBES compliance, or even to provide interpretation of the Standard to builders seeking to comply.
- The current lack of enforcement puts reputable and compliant builders at a competitive disadvantage due to unfair competition by builders willing to ignore RBES compliance and undercut the pricing of construction.
- Adding more restrictions, standards and permits to Vermont's building industry without ensuring that current laws are enforced will only increase our housing market costs.
- It makes sense to put a structure in place that enforces current codes before moving forward with additional requirements as this could result in an increase in the gap between compliant and non-compliant construction.

Compliance with RBES is critical to helping meet Vermont's climate and energy goals. To ensure proper enforcement the Home Builders and Remodelers Association asks that the committee consider the following suggestions:

- Establish a state-wide enforcement officer (or "authority having jurisdiction") to conduct RBES enforcement, support RBES interpretation and provide regional code training.
- Replace requirements for self-reporting as a pathway to RBES compliance with the state appointed enforcement officer.
- Address enforcement and compliance improvements in the three-year cycle of RBES revision.
- Explore opportunities to require presentation of an RBES Compliance Certificate to buyers, lenders, appraisers, town officers, or any other parties to transactions governing improved or newly-constructed properties under RBES jurisdiction.

The above recommendations are supported by Vermont Home Builders and Remodelers Association along with:

- AIA Vermont - A Chapter of The American Institute of Architects
- Building Performance Professionals Association (BPPA)
- Energy Futures Group
- Housing Vermont
- Sustainable Energy Outreach Network (SEON)
- Vermont Green Building Network
- Vermont Housing Finance Agency
- Vermont Passive House (VTPH)