



6/4/14

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 14-AAER-1
1516 Ninth Street
Sacramento, CA 95814-5512

Re: Legislation that affects building permits

The Hearth, Patio & Barbecue Association, Pacific Affiliate (HPBAP) is a not-for-profit trade association that represents and promotes the interests of the hearth products industry regionally in California, Nevada and Hawaii. HPBA is also a not-for-profit trade association which represents manufacturers all across North America. The national association and regional affiliate represent several national and California entities that include manufacturers, retailers and service companies.

Senator Padilla's Senate Bill 407 is causing significant confusion amongst California Building Departments and California Hearth Retailers up and down the state. It makes an assumption that anytime a homeowner does a remodel which requires applying for a building permit that alters or improves a single family residence built in 1994 or earlier, the homeowner must also update all water fixtures in the home to water saving devices. This means that faucets, shower heads, toilets, and tub spigots must all be changed out before a permit will be approved, even when a homeowner simply seeks a quick fix or fireplace retrofit. For small dealers with too few staff, this bill is costing them substantial money and time on renovations not in the scope of the requested work.

Enacting legislation or building codes that make it difficult to pull permits does not help California small businesses that are still feeling the effects of a recession. We know the importance of and support pulling building permits when updating a residence. However, this bill hinders that ability by making it difficult to complete jobs with this new legislation seemingly linking water saving devices to fireplace retrofits.

Ironically, due to the additional cost and burden, some in the construction industry may be more likely to complete jobs without pulling permits which doesn't help the state, our members, or the homeowner in the long run. There is also significant confusion among building department entities about how to enforce vague building codes (e.g., SB 407). Locally, in Southern California, one building department told HPBA Pacific that application of the rule was based on dollar value of the remodel. If it was under a \$1000 alteration to the home, a dealer would not need to replace the fixtures. A different building entity told us that dollar value doesn't matter. The confusion amongst building departments has caused delays in jobs for our dealers. Without a clear consensus from the building departments, dealers' jobs are again set back in time and money.



We ask the CEC, Senator Padilla, and legislators throughout California to keep in mind the impact that their rule makings have on small businesses throughout the state. Without clearly defining bills with specific language leaves room for confusion. Especially in the building industry, there is little room for error. Don't hinder building and remodeling in this state with rules that aren't clearly defined.

Respectfully,


Kaity Van Amersfort
HPBA Pacific, Affiliate Manager