

# Memorandum

To: Robert P. Oglesby  
Executive Director

Date: August 15, 2011

Telephone: (916) 654-4996

From: **California Energy Commission**  
1516 Ninth Street  
Sacramento, CA 95814-5512

Panama Bartholomy, Deputy Director  
Efficiency and Renewable Energy Division

Subject: **STAFF RECOMMENDATION TO APPROVE CALIFORNIA CERTIFIED ENERGY RATING AND TESTING SERVICES (CaCERTS) AS A HOME ENERGY RATING SYSTEM (HERS) PROVIDER FOR BUILDING PERFORMANCE CONTRACTORS; TO BE CONSIDERED AT THE SEPTEMBER 7, 2011 BUSINESS MEETING**

## Summary of Item

The Energy Commission's HERS regulations, Title 20, Chapter 4, Article 8, Sections 1670 through 1675, authorize the Energy Commission to approve organizations to be HERS Providers and oversee the training, certification, and oversight functions of HERS Raters. The Title 20 regulations detail the functions and systems that must be included in a HERS Providers' program, application requirements, and other criteria that must be met for Energy Commission approval.

"Phase I" of the California HERS regulations, which became effective on June 17, 1999, established Field Verification and Diagnostic Testing services administered by Energy Commission-approved Providers. CaCERTS was first approved by the Energy Commission as a HERS Provider to oversee HERS Raters providing Field Verification and Diagnostic Testing services in October 2003.

"Phase II" of the HERS regulations expands the program to provide a systematic process for the delivery of Whole-House Home Energy Ratings and Home Energy Audits for existing and newly constructed residential buildings that include single-family homes and multi-family buildings of three stories or less. Both the Rating and Audit provide California homeowners and home buyers with information about the energy efficiency of the homes they own and/or homes they are considering for purchase. The Ratings and Audits also provide a customized list of cost-effective improvements homeowners can implement to make their homes more energy efficient. CaCERTS was approved by the Energy Commission as a HERS Provider to oversee Independent Whole-House Raters conducting California Whole-House Home Energy Ratings and California Home Energy Audits in July 2010. As of this date, there are over 200 CaCERTS-certified Independent Whole-House Raters located throughout the state.

Phase II of the HERS Regulations also established a special approval category that goes along with the California Whole-House Home Energy Rating and California Home Energy Audit program called the HERS Building Performance Contractor. A HERS Building Performance Contractor is a company that is certified by a HERS Provider to evaluate the comfort and safety aspects of a home in conjunction with the home's energy efficiency in

order to make and implement recommendations that will result in the best possible performance of a home for the occupant of that home. A HERS Building Performance Contractor company includes a contractor who is licensed by the California Contractors State License Board as a Class B General Building Contractor and who are themselves, or have in their employ, a person certified as a California Whole-House Home Energy Rater (BPC Rater) who has successfully completed an Energy Commission-approved HERS Building Performance Contractor training program and who holds building science certifications from the Building Performance Institute (BPI). Under normal circumstances, the HERS Regulations (Section 1673(j), Conflict of Interest) dictate that HERS Providers and HERS Raters shall be independent entities from any firm or person that performs work on a home for a California Home Energy Audit or a California Whole-House Home Energy Rating.

Although the Class B General Building Contractor and the BPC Rater components within a HERS Building Performance Contractor company are not independent entities from one another, the fact that they are subject to much higher quality assurance provisions to ensure HERS Building Performance Contractor program integrity, and because they receive additional training on correct assessment and installation of both efficiency and non-efficiency-related features within a home, an exception to the Conflict of Interest provisions is made for the HERS Building Performance Contractor designation in the HERS Regulations.

CalCERTS has submitted an application for approval as a Provider to oversee HERS Building Performance Contractors as required by the HERS Regulations, Section 1674(e). Staff has reviewed CalCERTS' application and training materials, and has determined that they satisfy the requirements specified in the HERS regulations and the HERS Technical Manual for a Provider overseeing HERS Building Performance Contractors conducting California Whole-House Home Energy Ratings and California Home Energy Audits.

#### Project Co-Managers

Mark Alatorre, Building Standards Implementation Office  
Jim Holland, Building Standards Implementation Office  
Rashid Mir, Building Standards Implementation Office

#### Business Meeting Participants

Jim Holland, Building Standards Implementation Office  
Rashid Mir, Building Standards Implementation Office

#### Commission Action Requested

Approve CalCERTS as a HERS provider for Building Performance Contractors



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Efficiency and Renewable Energy Division