

Overview of Building Energy Benchmarking, Disclosure and Labeling Policies

NATIONAL EFFORTS

National Level

The U.S. Dept. of Energy is developing national, voluntary guidelines for rating and labeling homes and commercial buildings. The Energy Independence and Security Act (EISA) of 2007 requires all Federal agencies to lease commercial space only in buildings with superior ENERGY STAR ratings.

Arlington County, VA

Legislation/Regulation:	n/a
Enacted:	n/a*
Implementation:	Fall 2011
Benchmarking tool:	Energy Star
Disclosure:	Building labeling and public web site
Building Type:	Public buildings

*Part of the Community Energy Plan

Austin, TX

Legislation/Regulation:	ECAD (Energy Conservation Audit & Disclosure) Ordinance
Enacted:	November 2008
Implementation:	June 2011
Benchmarking tool:	Portfolio Manager, ACLARA
Disclosure:	Buyers, Government
Building Type:	All public and non-residential buildings

California

Legislation/Regulation:	Assembly Bill 1103
Enacted:	October 2007
Implementation:	2010-2012
Benchmarking tool:	Portfolio Manager
Disclosure:	Buyers, Lessees, Lenders, Government
Building Type:	Non-residential buildings

District of Columbia

Legislation/Regulation:	Clean and Affordable Energy Act (CAEA) of 2008
Enacted:	July 2008
Implementation:	2010-2014
Benchmarking tool:	Portfolio Manager
Disclosure:	Public website, Government
Building Type:	Public buildings >10,000 sq.ft.*, Commercial & Multifamily buildings > 50,000 sq.ft.**

*Public buildings were benchmarked beginning in 2010 and disclosed thereafter via an online database.

**Buildings 200,000 sq.ft or larger are not required to submit data until the rulemaking process is complete.

Montgomery County, MD

Legislation/Regulation:	Bill No. 31-07
Enacted:	April 2008
Implementation:	August 2008
Benchmarking tool:	Home energy audit
Disclosure:	At the point of inspection
Building Type:	Residential buildings

Maryland (*Proposed*)

Legislation/Regulation:	Senate Bill 261
Proposed:	January 2011
Implementation:	2013
Benchmarking tool:	Portfolio Manager
Disclosure:	Prior to sale or lease
Building Type:	Commercial buildings

Massachusetts

Legislation/Regulation:	Building Energy Asset Labeling Program
Enacted:	n/a*
Implementation:	n/a
Benchmarking tool:	TBD
Disclosure:	Public Website
Building Type:	Public buildings > 10,000 sq.ft., Commercial & Multifamily buildings > 10,000 sq.ft.

*Part of Building Labeling Initiative

New York City

Legislation/Regulation:	Local Law 84
Enacted:	December 2009
Implementation:	2010-2013
Benchmarking tool:	Portfolio Manager
Disclosure:	Public website, Government
Building Type:	Public buildings > 10,000 sq.ft., Commercial & Multifamily buildings > 50,000 sq.ft.

NOTE: New York State has existing residential disclosure

Nevada

Legislation/Regulation:	Nevada Revised State (NRS) 113.115
Enacted:	2010
Implementation:	January 2011
Benchmarking tool:	Energy audit
Disclosure:	Point of Transaction
Building Type:	Single-family residential

Oregon

Legislation/Regulation:	HB 3400
Enacted:	n/a
Implementation:	n/a
Benchmarking tool:	Portfolio Manager
Disclosure:	Public website
Building Type:	Commercial and residential

Portland, OR

Legislation/Regulation:	High Performance Green Building Policy
Enacted:	n/a
Implementation:	2011-2013
Benchmarking tool:	Portfolio Manager
Disclosure:	Government
Building Type:	Commercial & Multifamily buildings > 20,000 sq.ft.

Santa Fe, NM

Legislation/Regulation:	Ordinance No. 2007-38
Enacted:	October 2007
Implementation:	January 2008
Benchmarking tool:	HERS (Home Energy Rating System)
Disclosure:	Public
Building Type:	Single-family residential

San Francisco, CA

Legislation/Regulation:	Existing Commercial Buildings Energy Performance Ordinance
Enacted:	February 2011
Implementation:	2011-2013
Benchmarking tool:	Portfolio Manager
Disclosure:	Public Website, Government, Tenants
Building Type:	Public and commercial buildings > 10,000 sq.ft.

NOTE: State of California has existing residential rating and disclosure.

Washington State

Legislation/Regulation:	Efficiency First, SB 5854
Enacted:	May 2009
Implementation:	2011-2013
Benchmarking tool:	Portfolio Manager
Disclosure:	Buyers, Lessees, Lenders
Building Type:	Public buildings > 10,000 sq.ft., Private non-residential buildings > 50,000 sq.ft.

NOTE: All local and state policies listed above are mandatory.

INTERNATIONAL EFFORTS

Canada

Canada has no federal mandates for rating and disclosure, although there are voluntary LEED-Homes, R-2000, and BOMA BEST (Building Environmental Standards) programs at the national level. A new generation EnerGuide Rating System (ERS) efficiency label for homes is under development.

China

China's Ministry of Housing and Urban-Rural Development (MOHURD) developed the MOHURD energy rating program for commercial and residential buildings. The program is voluntary and includes both asset and operational ratings. Rating is mandatory, however, for large office buildings, those undergoing publicly-funded retrofits, and "green" labeled buildings.

Europe

The 2002 Energy Performance of Buildings Directive (EPBD) calls for energy performance legislation in each of the EU's 27 member states. Further revamped in 2010, the EPBD requires development of performance and inspection standards as well as energy performance certification for commercial, residential, and government buildings. Energy ratings can be either asset or operational, must include recommendations for improved performance, and must be prominently displayed in public buildings.

India

The national Bureau of Energy Efficiency is developing energy ratings for specific building types, but the programs remain voluntary. India also has several environmental performance rating systems which incorporate energy use, including TERI (The Energy Resources Institute) and GRIHA (Green Rating for Integrated Habitat Assessment).

Russia

Since the 1990's Russia has had a thermal energy performance rating called Energy Passport required by federal building codes. Draft legislation from 2009 awaits approval to expand the rating and introduce a publicly displayed energy label for multi-family buildings.