

Revise Section R406.5 as follows:

R406.5 Verification by approved agency. Verification of compliance with Section R406 shall be completed by an *approved* third party working under the auspices of an approved rating provider as defined in ANSI/RESNET/ICC 301.

Reason Statement:

In the 2018 IECC, Standard 301 is only referenced for the calculation of the ERI. However, there are many other aspects of Standard 301 that address implementation items, like: inspection of minimum rated features, certified raters, approved rating providers and labeling. Without any reference to some of these items in the code, there are no requirements other than an “approved” third party to verify compliance. Unfortunately, that provides little guidance to the local code official. In addition, there is currently no quality assurance requirements under the ERI path. Homes complying with the ERI path will only be subject to quality assurance if they are using the HERS index and submit a “Confirmed” rating to RESNET.

In Standard 301 an “Approved Rating Provider” is defined as: *An approved entity responsible for the certification of home energy raters working under its auspices and who is responsible for the quality assurance of such Certified Raters and for the quality assurance of home energy ratings produced by such home energy raters.*

In Standard 301 a “Certified Rater” is defined as: *An individual who has become qualified to conduct home energy ratings through certification by an Approved Rating Provider.*

In Standard 301 “Approved” is defined as: *shall mean approved by an entity adopting and requiring the use of this Standard as a result of investigation and tests conducted by the entity or by reason of accepted principles or tests by nationally recognized organizations.*

After having the ERI path in the code for two cycles now, it has become clear that there is confusion about the nuances of its implementation in the field. This change will help to clarify any confusion about who should be approved as a third party to verify compliance with the ERI path.

Add new Section R406.5.1 as follows:

R406.5.1 Quality Assurance. *Approved* third party verifiers and all *residential buildings* demonstrating compliance with Section R406 shall comply with the quality assurance requirements in accordance with ANSI/RESNET/ICC 301.

Reason Statement:

There has been confusion about the differences between ERI and HERS, especially when it comes to quality assurance requirements. Currently, under the 2018 IECC, a permit applicant

could submit an ERI Compliance Report to demonstrate compliance with the energy code without any requirement subjecting that rating to quality assurance. The only way a home complying with the ERI path will be subject to quality assurance is if that home uses a HERS rating and a “confirmed” rating is submitted to RESNET. Sections 5.1.4.1.3 and 5.1.4.2.3 of ANSI/RESNET/ICC 301 require that “Confirmed” and “Sampled” ratings be subject to Quality Assurance requirements “equivalent to Section 900 of the *Mortgage Industry National Home Energy Rating Systems Standard*.”

One of the most important benefits of the ERI compliance path is the requirement for third party verification of compliance. Many local code officials are under the misconception that all homes using the ERI for compliance are subject to quality assurance. Unfortunately, this is not true.

This proposal would require that the approved third party verifiers are working under a program that has quality assurance requirements; and the homes they’re responsible for verifying are subject to those quality assurance standards.

Cost Impact: Will not increase the cost of construction

Add new Section R406.5.2 ‘Compliance documentation for certificate of occupancy’ as follows:

R406.5.2 Compliance documentation for certificate of occupancy. Third parties that have been approved to verify compliance with R406 shall provide the following documentation to the code official, prior to issuance of a certificate of occupancy:

1. Documentation that the approved third party is certified by an approved rating provider in accordance with ANSI/RESNET/ICC 301;
2. Documentation demonstrating that the mandatory requirements in R406.2 have been met;
3. A compliance report in accordance with R406.6.2 that is clearly indicated as a “Confirmed Rating” or “Sampled Rating” as defined by ANSI/RESNET/ICC 301;
4. Documentation of air leakage testing results in accordance with R402.4.1.2;
5. Documentation of duct leakage testing results in accordance with R403.3.3.

Reason Statement:

Despite education efforts, there is confusion among code officials and third party verifiers about the documentation that should be required, prior to the issuance of a certificate of occupancy, for compliance with the ERI path. Since this is still a relatively new compliance path for the IECC, the proponents of this proposal feel that it is necessary to provide guidance to local code officials and third party verifiers.

This proposal seeks to add each of the proposed documentation items for the following reasons:

1. This provision ensures that third party verifiers are subject to quality assurance procedures
2. This item ensures that third party verifiers are verifying the mandatory requirements of the IECC and not just what's required to conduct the rating
3. ANSI/RESNET/ICC 301 only requires "Confirmed" and "Sampled" ratings to be subject to quality assurance, so this item ensures that third parties are not submitting a "projected" rating to the code officials that is not subject to quality assurance
4. Documenting the envelope air leakage results ensures that those numbers are in alignment with the figures used in obtaining the ERI score
5. Documenting the duct leakage results ensures that those numbers are in alignment with the figures used in obtaining the ERI score.

Overall, this proposal will improve consistency among third parties and code officials in documenting compliance with the ERI path.