

July 11, 2020

North Carolina Building Code Council
Office of State Fire Marshal
1202 Mail Service Center
Raleigh NC 27699-1202

Dear Members of the North Carolina Building Code Council,

On behalf of our member companies and partner organizations, North Carolina Building Performance Association (NCBPA) would like to inform you that we do not support the B-23 residential energy code change [proposal submitted](#) for the July 14, 2020 meeting by Robert Privott of North Carolina Home Builders Association (NCHBA).

Item B-23 seeks to add an additional energy code compliance pathway in section N1101.13 (R401.2) based on the Energy Rating Index (ERI) but goes far beyond the minimum requirements of the existing ERI compliance option's building envelope "backstop" requirements by exempting all minimum energy code requirements entirely.

This code change would allow builders to ignore foundational energy code requirements such as wall insulation, window efficiency, building envelope tightness and all other energy-related code areas that have been present in North Carolina's code for many years. In an extreme but real example, exempting compliance to section R403.1 Controls would allow homes to be built with HVAC systems but without thermostats.

The current backstop requirements were debated in tremendous detail during the most recent code development cycle and developed very carefully through a stakeholder process that NCHBA and many others participated in. The minimum requirements were agreed to as part of the current ERI optional pathway and are foundational to how national and international energy codes are developed and maintained. For example, the backstop requirements help ensure that when a residential builder chooses a performance-based compliance path for meeting the energy code (which we fully support) they cannot do so by adding a wealth of solar power to the roof or making significant tradeoffs that prevent the home from having minimum standards for energy efficiency such as wall insulation, attic insulation or slab-edge insulation.

This proposal follows a continued NCHBA trend of proposing to further lessen the minimum energy efficiency requirements that were already weakened by their efforts in the most recent code development cycle and adopted by the state of North Carolina in the current 2018 North Carolina Energy Conservation Code (2018 NCECC) for a six-year period between 2019 - 2024. The net result of this current proposal would [prevent homeowners and renters from saving roughly \\$8 - \\$10 per month](#) on their energy bills for the life of the home in favor of a few hundred dollars of reduced up-front costs for a builder on a single home.

According to NCDOT's [Fiscal Note](#) on the 2018 code, "Because of significant opposition expressed by the NC Home Builders Association during the public comment period and

at the meetings of the NC Building Code Council, the proposed minimum efficiency requirements for one-and two-family dwellings and townhouses were reduced through compromise to be approximately 10-15 percent more energy efficient,” which is essentially equivalent to the 2009 IECC. “The builders would incur additional costs in ensuring the house meets the energy efficiency reduction; homeowners would face an increased mortgage payment, as well as a decreased utility bill and *an overall reduction in monthly expenditure in most scenarios*. The total payback period is estimated to range from 2 to 6 years for most buildings, assuming the initial investment in the energy use reduction is borne by the builder and passed on to the homeowner”.

Making a home energy efficient is least costly during the new construction process and lasts for the life of the home. North Carolina already set and maintains a minimum bar for these requirements and this proposal seeks to lower that bar. Our state needs a responsible minimum bar that ensures a reasonable level of energy efficiency is available to North Carolina homeowners and renters. Builder profits should not take precedent over these minimum energy efficiency requirements.

We ask that the Council reject this proposal.

Thank you for your consideration. Please let me know if you need any further information.

Sincerely,



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Founder & CEO

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