



Building Energy Code Study Committee

Proposed Responsibilities and Authority for Owner-Occupied Single Family Homes (SFH)

10/2/2023

	Current	by 2024	by 2026	by 2030
General Authority				
General authority over private SFHs	none	DFS	DFS	DFS
Building energy codes (RBES)	PSD	DFS	DFS	DFS
Ability to delegate to municipalities	none	DFS	DFS	DFS
Clear chain from municipality to Legislature	none	DFS	DFS	DFS
Promulgation				
Promulgation of RBES base code	PSD	?	DFS	DFS
Promulgation of RBES stretch code	PSD	PSD	PSD	DFS + PSD
Compliance				
Variances & code-conflict resolution (<i>note 2</i>)	(note 2)	DFS	DFS	DFS
Appeals process	none	DFS	DFS	DFS
Operate call center that can interpret RBES	PSD-info only	DFS	DFS	DFS
Simple statewide online RBES application	none	develop	DFS	DFS
Builder closes out application in database	none	develop	DFS	DFS
Ability to stop work	none	DFS	DFS	DFS
Maintain database of applications/certifications	none	develop	DFS	DFS
Training + Education				
Report to Legislature on progress towards goals	PSD	PSD	PSD	DFS + PSD
Develop targets for future energy codes	PSD	PSD	PSD	DFS + PSD
License building trades (<i>note 3</i>)	DFS+OPR	DFS+OPR	DFS+OPR	DFS
Establish RBES training standards	none	DFS	DFS	DFS
Certify education for homebuilders, goes to OPR	none	DFS	DFS	DFS
Develop certification for associated trades (5)	none	DFS	DFS	DFS

note 1 Other codes: Building (IBC), Fire Safety (NFPA), Accessibility (ADA), Plumbing (IPC), Electrical, Elevators, Existing Buildings.

note 2 No variance process outlined in RBES so technically it does not exist. Exemption is allowed for historic buildings, but no process of approval for gut rehabs.

note 3 Currently OPR registers homebuilders (no certification or licensure) for fraud purposes. Building inspectors are also licensed by OPR. No one licenses solar installers, energy consultants, or HERS raters.

note 4 Division for Historic Preservation is not listed on this chart, but it too has responsibility for historic homes.

Summary / Overall Approach:

2024: Give one entity general authority over owner-occupied single family homes. Clarify statute to channel authority to municipalities through it. This authority begins to oversee all building trades including setting standards for education (voluntary for homebuilders for the foreseeable future). Set up a database and a statewide application process for RBES.
(RECOMMENDED) Simplify base energy code to make initial training easier. Adopt minimally amended 2024 IECC for quick update.

2026: Move base code promulgation of RBES to the unified authority. Keep stretch code at PSD.

2030: Gradually complete the transfer of authority for all aspects of residential construction to DFS as their staff are trained.

