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*Comment Received From: Kevin Rodgers
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**CEC Draft CA Building Energy Performance Strategy Report -
REALTORS® Comments**

Additional submitted attachment is included below.



CALIFORNIA ASSOCIATION OF REALTORS®

August 20, 2026

California Energy Commission
715 P Street
Sacramento, California 95814
Email: docket@energy.ca.gov

**Re: REALTORS® Comments on the Draft California Building Energy Performance Strategy Report
(CEC Docket No. 24-BPS-01)**

To whom it may concern,

On behalf of the California Association of REALTORS® (C.A.R.), representing nearly 200,000 members statewide, thank you for the opportunity to comment on the California Energy Commission's Draft California Building Energy Performance Strategy Report prepared pursuant to SB 48 (Becker, 2023).

C.A.R. has consistently supported practical, flexible, and cost-effective energy efficiency improvements while seeking to ensure implementation does not unnecessarily burden housing affordability, property ownership, or California's real estate market. Over the last two decades, C.A.R. has worked with the Commission and the Legislature on California's existing building energy policies, including AB 1103 (Saldaña, 2007), AB 758 (Bass and Skinner, 2009), and AB 802 (Williams, 2015).

C.A.R. also acknowledges and supports the Commission's recommendations that build upon California's existing statewide Building Energy Benchmarking Program established under AB 802 (Williams, 2015). Maintaining cost-effectiveness should remain a foundational principle developing Building Performance Standards. Leveraging the existing building benchmarking framework provides a practical pathway for implementation and helps to minimize unnecessary administrative burdens. Continued program success depends on practical, economically achievable compliance measures rather than punitive enforcement. C.A.R. further appreciates the report's recognition that enforcement mechanisms such as liens, publication penalties, and restrictions on the sale or use of property could create unintended consequences for building owners, tenants, and California's housing market.

While C.A.R. supports the overall direction of the draft report, several recommendations would benefit from additional clarification before the report is finalized and submitted to the Legislature pursuant to SB 48 (Becker, 2023). C.A.R. respectfully offers the following recommendations:

1. Preserve California's Existing Benchmarking Framework

While report evaluates lower thresholds and acknowledges that local jurisdictions may regulate additional buildings, C.A.R. encourages the Commission to maintain alignment with California's existing benchmarking framework, rather than proposing to expand coverage.

2. Establish a Definition for "Cost-Effective"



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While the draft appropriately recognizes the importance of cost-effectiveness, it does not define the term. A clear definition will provide greater certainty for property owners and policymakers while ensuring recommendations remain grounded in practical economic considerations. C.A.R. encourages the Commission to define "cost-effective" to mean that the total costs of the improvement, including maintenance costs, are less than the present value of the energy saved over the useful life of the improvement.

3. Preserve Compliance Flexibility

The report recognizes that meaningful flexibility is essential to successful implementation. Compliance pathways should continue to account for equipment replacement schedules, capital planning cycles, financial hardship, technical feasibility, utility infrastructure limitations, and other building-specific circumstances. Maintaining these principles will help ensure owners are not required to prematurely replace functioning systems or penalized for circumstances beyond their reasonable control.

4. Ensure Public Benchmarking Information is Accurate and Reliable

The report recommends expanding publicly available benchmarking information to include additional building performance information and compliance milestones. This information is likely going to be relied on by property owners, purchasers, lenders, appraisers, insurers, and other market participants. We recommend that the Commission consider establishing clear procedures for correcting inaccurate information, identifying pending appeals or corrections, distinguishing preliminary findings from final compliance determinations, and ensuring publicly available information accurately reflects a building's compliance status.

C.A.R. commends the Commission's thoughtful work in preparing the Draft California Building Energy Performance Strategy Report and appreciates your consideration of these comments and look forward to continuing to work collaboratively with the Commission.

Should you have any questions or require additional information, please do not hesitate to contact Kevin Rodgers at kevinr@car.org or (714) 496-3228.

Sincerely,



Kevin Rodgers
Regulatory Advocate



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