

<b>DOCKETED</b>	
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<b>Project Title:</b>	2022 Field Verification and Diagnostic Testing OIR Proceeding
<b>TN #:</b>	248285
<b>Document Title:</b>	FV&DT Rulemaking One-Page Summary
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# California Energy Commission

## Home Energy Rating System Rulemakings

The California Energy Commission (CEC) is currently engaged in a set of rulemakings to address known issues within the Home Energy Rating System (HERS) program. The CEC is asking all local authorities having permitting authorities (AHJs) to submit comments to the rulemaking docket linked below. The CEC would like to know the following from AHJs or as much information as possible:

1. What is your opinion of the HERS program?
2. How has the HERS program helped you enforce the Energy Code?
3. What are the main problems with the HERS program?
4. What suggestions do you have to address these problems?

Docket Link: [2022 Field Verification and Diagnostic Testing OIR Proceeding](https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-BSTD-03)  
(<https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-BSTD-03>)

### Background:

The California Home Energy Rating System Program (Title 20, Section 1670-1675 provides two key services:

1. Field verification and diagnostic testing as required by Title 24, Part 6.
2. Whole-house Home Energy Ratings of newly constructed and existing homes.

The CEC has identified a number of issues with the program that are being addressed through two rulemakings.

### Draft Staff Reports, Public Meetings and More Information:

Staff produced two reports on the program's proposed changes and are holding a series of public workshops. Parties are encouraged to participate in the public meetings and submit comments on staff's reports and proposed changes. These documents and instruction on how to participate and file comments to the dockets can be found at:

[Modifications to Field Verification and Diagnostic Testing Program Requirements](https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2025-building-energy-efficiency-0)

(<https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2025-building-energy-efficiency-0>)

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## Summary of Issues and Proposed Resolutions

Category	Summary	Proposal
Regulatory Alignment	<ul style="list-style-type: none"> <li>• Regulations for FV&amp;DT are appropriately located in the Energy Code.</li> <li>• The data collection and access requirements are codified in many documents, most of which are associated with the Energy Code.</li> </ul>	<ul style="list-style-type: none"> <li>• Add requirements for the FV&amp;DT program to the Energy Code (Title 24).</li> <li>• Consolidate the data access and gathering requirements into the Energy Code.</li> </ul>
Progressive Discipline	<ul style="list-style-type: none"> <li>• Rater companies are not regulated</li> <li>• Lack of discipline options to address performance issues</li> <li>• Data falsification</li> </ul>	<ul style="list-style-type: none"> <li>• Include rater companies in regulations.</li> <li>• Provide progressive discipline options to correct noncompliant behavior.</li> <li>• Provide additional data entry safeguards.</li> </ul>
Quality Assurance Procedures	<ul style="list-style-type: none"> <li>• Insufficient quality assurance practices</li> <li>• Impractical quality assurance requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Establish new quality assurance tracking and reporting requirements.</li> <li>• Provide for prescriptive alternatives to existing quality assurance procedures.</li> </ul>
Conflict of Interest	<ul style="list-style-type: none"> <li>• Raters pull permits for contractors potentially influencing the rater</li> <li>• Raters complete and sign compliance documents</li> <li>• Raters promote legitimate off-purpose use of registered compliance documents</li> </ul>	<ul style="list-style-type: none"> <li>• Define restrictions for rater companies to avoid incentives towards fraud and collusion.</li> <li>• Allow rater companies to pull permits, but not raters.</li> <li>• Allow rater companies to complete compliance documents, but not raters.</li> <li>• Formally permit the legitimate off-purpose use of compliance documents.</li> </ul>
Designation and Approval	Raters have never been approved as special inspectors by local jurisdictions.	Amend the Energy Code to remove the indication that raters are to be considered special inspectors.
Training	Training requirements are limited causing inconsistent programs between providers	Develop clear minimum training requirements including: <ul style="list-style-type: none"> <li>• Proctored online training and exams.</li> <li>• Hands-on training.</li> <li>• Increased initial oversight by the provider for new raters.</li> </ul>
Make other clarifying changes	<ul style="list-style-type: none"> <li>• Regulations do not define access to CEC data retrieval</li> <li>• Regulations detail on reporting requirements is limited</li> </ul>	<ul style="list-style-type: none"> <li>• Provide greater clarity on CEC access to data registry records.</li> <li>• Provide specific reporting requirements for greater clarity.</li> </ul>