

DOCKETED

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Comment Received From: Chris Barriere - Barrierenergy.com
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Clarification Needed

My name is Chris and I am HERS Rater with Barrierenergy.com

The rulemaking proceedings are continuing on course, however there seems to be a ton of controversy. I am seeing a ton of concerned comments. However I am not certain everyone is reading this correctly. From the very beginning the idea here was to MIGRATE the Legal Verbiage surrounding FVD&T from T20 to T24. I do not see any notice that the program will definitively be suspended or terminated. Instead we see a Fully SEPARATE proceeding with separate docket. I am not certain the provenance of this entire methodology, however it is what we have to work with. It seems like We must first agree on the exact Changes to be implemented, before we can commit to removing any wording from T20. The T24 Proceedings should be geared toward simplification of the entire process, increasing penalty, and creating a loophole to revoke licensure.

The current market reality of the HERS program is complex and confusing for homeowners and builders, Nobody is denying this fact. Hopefully if we plan to remediate the program then it will result in less confusion, more accurate reporting, and increased compliance. This will contribute to our stated goal of reducing energy waste in California. We can all agree that the program has become lopsided, and top-heavy. I am not pleased with the results of the investigations. My firm takes very measured strides to ensure compliance, and create an atmosphere of understanding. It is true that SOME Larger Firms have been abusing the admittedly Lax System. This does not mean we can simply eliminate the program. Just because we have a minority of non compliance does not mean the program itself is invalid.

To be clear this program was created for a reason. The HVAC Industry is notorious worldwide for secrecy, toxic chemicals releases, sky high bills and zero manageable compliance. Moreover, it is no mystery that the manufacturing and Petrochemical Industry prop up the government, and keep them moving in a specific path. Any voice inside the State Government that supports the removal of Compliance Oversight Programs is a paid mole. There is no legal framework in the State of California for regressive policy shifts to remove laws or repeal Public Safety Laws.

SO let us be entirely clear and concise in the following point: Energy Efficiency is a Public Safety Issue. No Public Agency has the legal Authority to remove or remediate laws concerning Public Health and Safety. The only authority of the CEC in this matter is to create a more 'CONCISE VERBIAGE" to be enforced.

Under no circumstances will this proceeding be allowed to revoke the FVD&T Requirements entirely from State Law, that would be a violation of several Statutes and Executive orders. IN FACT this proceeding will actually strengthen the requirements,

adding TEETH to the Laws. This will enable Law Enforcement Agents to file charges against certain firms for Fraud, as well as enable providers to revoke licensure. This is critical if we are to maintain clarity and consistency as well as maintain validity and coherence of doctrine.

To be clear, at no point will the HERS Rating Program be halted, intervened upon, or discontinued in the State of California. The latest round of Executive Orders from the Capitol have made it perfectly clear that forward progress is the Law of the Land.

Furthermore is the issue of T24 Consultant Certification. It is troubling that private entities have been so heavily leaned upon by the State for licensing at all. However given the status Quo it is difficult to reverse this course. Adding a second and now third layer of certifications to the list of requirements is convoluted and short sighted. I firmly believe that all HERS, MATT, EATT, and now CABEC T24 consultant licenses should be administered by CSLB and NOT by a Private Organization.

With the Billions of Dollars the State of California has at its budgetary discretion I cannot believe for a second that the State Cannot Simply Absorb these Organizations into the Fold through Purchase. This is not unheard of: after 911 The US federal Government bought out Securicom and Stratesec with over a dozen other smaller security companies, in order to merge them and their assets to form the TSA and HSA. This is no flimsy comparison, we are in a heated battle to save our atmosphere here. Obviously I am a minority in this viewpoint, but I feel it is a valid point.

So, While I agree with many of the comments below, I would like to point out that most of us have been misreading these passages, and that there is no need for concern. The program is not going anywhere. Also, I am pleased to see that my CRED California residential Energy Document name suggestion has gotten some traction. While I am committed to the HERS name, I think CRED does sound much better, and makes infinitely more sense.

SO we need to keep in mind that the HERS rater is tasked with quite a large number of inspection line items. Any significant changes we make now are going to drive up prices to consumers. There is a list of Safety Items that I call out many builders on almost every time. It really seems to me like people do not care about safety anymore. Any loosening of the Inspection Standards will result in a dramatic increase in actual real world Health and Safety Violations. The HERS Rater is the last and often the only person who is able or qualified to examine certain features of a home. Losing this role would result in homes that are unsafe for human occupancy being rubber stamped by Unscrupulous Building Officials, which can lead to unsafe dwellings being put on the market. When we are facing a housing crisis this is not a good idea. Any person harmed as a result of the laxening of State regulations will sue the State and every individual responsible for said changes. After all, this is California, remember that...

Thanks to everyone who has participated

Chris Barriere
HERS Rater
805.252.9496
Chris@Barrierenergy.com