

DOCKETED

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Regulatory Advisory

August 16, 2024

CHEERS Remains an Approved Home Energy Rating System (HERS) Provider by the CEC

The California Energy Commission (CEC) stands firmly in support of the Home Energy Rating System (HERS) program, also referred to as the Energy Code Compliance program. This support extends to the Providers, Raters, and the many Rater Companies that have served California consumers over the last 20 years. On July 22, 2024, CalCERTS notified the CEC ([CEC Docket 22-HERS-01](#)) that it would cease operations as a HERS Provider starting August 2, 2024 and access to its registry will end on September 2, 2024. CHEERS remains approved by the CEC to register residential and most low-rise multifamily compliance documents for California's Energy Code for the 2013, 2016, 2019, and 2022 code cycles (see details below).

Summary of Advisements:

- Enforcement agencies must require Certificates of Compliance (CF1Rs, LMCCs, or NRCCs) as part of the permit application to construct. Beginning on September 3, 2024, enforcement agencies can no longer accept compliance documents registered by CalCERTS. Only compliance documents registered by CHEERS can be accepted before issuing a permit to construct.
- Developers, contractors, and project managers should take note that all multifamily compliance documents listed in Table 1 of this advisory must be registered in the CHEERS data registry. Compliance documents not listed in Table 1 must be completed and retained (in electronic or hardcopy form) by the project owner and submitted to CHEERS for central retention.
- According to CalCERTS, access to CalCERTS registry will end when CalCERTS shuts down their service on September 2, 2024. CalCERTS Users and Raters should contact CHEERS as soon as possible to initiate the transfer of Rater certification and projects registered with CalCERTS to CHEERS.
- The CalCERTS data registry does not offer access to compliance software output files. The Project Status Report (PSR) is generated upon request from the Provider and could contain updated information compared with previous versions.
- At present only CHEERS may act as a data registry in California. The CEC itself cannot distribute compliance documentation to any person outside of the CEC.

The following pages describe (1) how CalCERTS-certified Raters can transfer to CHEERS, (2) how projects currently registered with CalCERTS can transfer to CHEERS, and (3) how low-rise multifamily projects that are not transferable to CHEERS can proceed.

CalCERTS-Certified Raters Transferring to CHEERS

California regulations require all Raters to be certified to the same minimum standards. As a result, CalCERTS Raters were certified to the same standards as CHEERS Raters in compliance with California Code of Regulations, Title 20, Section 1673(a).

CalCERTS Raters seeking certification to operate as CHEERS Raters may expedite transfer from CalCERTS to CHEERS by satisfying the following requirements:

1. Hold a valid certification from CalCERTS as a Field Verification and Diagnostic Testing Rater as of August 2, 2024.
2. Complete and sign the CHEERS Rater Agreement (Section 1673(b)).

As these requirements are met, CHEERS must certify to the CEC that the CalCERTS certified Rater applicant has met the requirements of Section 1673(a) and entered into an agreement meeting the requirements of Section 1673(b) (as required by Section 1673(d)) on a monthly basis until January 1, 2025. Once certified by CHEERS, the Rater may operate in California as a certified HERS Rater for field verification and diagnostic testing. Whole house and home energy auditor certifications are not eligible for transfer.

Note, CalCERTS certified Raters at three different levels: alterations-only, new construction, and nonresidential. CalCERTS Raters may use this expedited process to be certified by CHEERS at the same certification level only. Any additional certifications would require the Rater to complete the necessary training through CHEERS.

CalCERTS-Registered Documents Transferring to CHEERS

Projects that were started in the CalCERTS data registry but not completed (as indicated in the PSR) as of August 2, 2024, must be restarted in the CHEERS data registry to submit compliance documents to enforcement agencies.

Under the California Code of Regulations, Title 24, Section 10-103, all registered certificates of compliance, installation, and verification require a signature from the Responsible Person using a CEC-approved data registry. Compliance documents previously signed by a Responsible Person are complete and valid, per Title 24, Sections 10-103(a)1Avi, 10-103(a)3Bvi, and 10-103(a)5Avii. Therefore, any documents duplicated for the purpose of continuing the documentation process in the CHEERS registry may be supported by the original documents registered and made available to the enforcing agency.

Users of the CalCERTS data registry are encouraged to coordinate with all project contributors to ensure comprehensive project transfers and adequate notification to building departments.

To expedite the transfer of compliance documents, this document provides the following advisements to CHEERS and CHEERS authorized Users (including Raters):

1. CHEERS-authorized Users may accurately duplicate all CalCERTS-registered compliance documents that have been signed by the Responsible Person into the CHEERS data registry.
2. CHEERS-authorized Users may sign as the Responsible Person in the CHEERS data registry for any duplicated CalCERTS-registered compliance documents that are signed by the Responsible Person.
3. The CHEERS-certified Rater duplicating compliance documents in the CHEERS data registry and signing as the Responsible Person may also perform any required field verification and diagnostic testing, and complete the certificates of verification (CF3Rs) for which they are certified to perform, without violation of CCR Title 20, Section 1673(j).
4. CHEERS-authorized Users duplicating any CalCERTS-registered compliance documents into the CHEERS data registry must maintain a copy of the CalCERTS registered compliance documents for 10 years.
5. CHEERS must restrict authorized Users from performing these activities for compliance documents that are not duplications of CalCERTS registered compliance documents signed by the Responsible Person.
6. CHEERS will provide a space for CHEERS-authorized Users to store their project compliance documents registered with CalCERTS.
7. The CHEERS data registry will provide authorized Users with a PSR once all CalCERTS forms are duplicated. CHEERS-authorized Users must notify all enforcement agencies of any CalCERTS-registered compliance documents that are successfully duplicated within the CHEERS data registry and provide the enforcement agencies with access to the newly issued CHEERS PSR.

CalCERTS-Registered Low-Rise Multifamily Compliance Documents

Low-rise multifamily (LRMF) projects that were started in the CalCERTS data registry but not completed by August 2, 2024, must comply with one of the two following options:

Option 1:

CHEERS registry authorized Users responsible for LRMF projects using compliance documents listed in Table 1 (see below) that are also registered in the CalCERTS data registry must transfer those registered documents to the CHEERS data registry as outlined above. These LRMF projects must be restarted in the CHEERS data registry to submit compliance documentation to enforcement agencies.

Option 2:

Persons responsible for LRMF projects with compliance documents **not** listed in Table 1 but registered in the CalCERTS data registry must download and retain all such registered compliance documents. They must also manually complete the remaining compliance documents necessary for the project using the hardcopy forms as indicated below.

CEC staff recommends that enforcement agencies take the following steps to ensure that permitting for LRMF buildings under the 2022 Energy Code is not delayed and that documents requiring registration are properly registered.

1. Effective August 2, 2024, permit applications for LRMF projects shall include only registered compliance documents listed in Table 1 from the CHEERS data registry.
2. For projects that were permitted using LRMF compliance documents not listed in Table 1, all of the following shall apply:
 - a. Permit applications shall include either registered compliance documents from the CalCERTS data registry or portable document format (PDF) compliance documents completed by the permit applicant or their representative. Blank PDF compliance documents are available through the CEC.
 - b. Persons responsible for project compliance shall retain copies of non-registered documents as well as compliance documents registered in the CalCERTS data register for a period of 10 years or until registered.
 - c. Persons responsible for these LRMF projects may continue to submit the PDF compliance documents to enforcement agencies until a data registry is approved to register them whereupon they must be registered.
3. For projects that have completed the compliance documentation process and whose permits have been finalized, all documents shall be retroactively registered with the CHEERS data registry by the project owner as indicated in Table 1 and as further LRMF compliance document registration becomes available.
4. Enforcement agencies have discretion to require registration retroactively.

For more information, please use the Energy Code Hotline Submission Form or explore other CEC Energy Code compliance online resources.

- [Energy Code Hotline Submission Form](#)
- [CEC HERS Program Webpage](#)

Table 1: CHEERS 2022 Energy Code LRMF Compliance Documents

Document ID	Document Name
LMCC-MCH-02-E	Alterations to Space Conditioning Systems
LMCC-PRF-01-E	Low-rise Multifamily Performance Compliance Method
LMCI-ELC-01-E	Electric Ready Requirements
LMCI-ENV-21-H	QII – Air Infiltration Sealing – Framing Stage
LMCI-ENV-22-H	QII – Insulation Installation
LMCI-MCH-01a-E	Space Conditioning Systems, Ducts, and Fans - Performance
LMCI-MCH-01b-E	Space Conditioning Systems, Ducts, and Fans – Prescriptive Alterations
LMCI-MCH-01d-E	Space Conditioning System, Ducts, and Fans – Performance – E+A+A
LMCI-MCH-20a-H	Duct Leakage Diagnostic Test – New Construction
LMCI-MCH-20b-H	Duct Leakage Diagnostic Test – LLDCS
LMCI-MCH-20c-H	Duct Leakage Diagnostic Test – LLAHU
LMCI-MCH-20d-H	Duct Leakage Diagnostic Test – Existing Construction
LMCI-MCH-20e-H	Duct Leakage Diagnostic Test – Sealing Accessible Leaks
LMCI-MCH-21-H	Duct Location
LMCI-MCH-22a-H	Space Conditioning System Fan Efficacy – All Zones Calling Only
LMCI-MCH-22b-H	Space Conditioning System Fan Efficacy – Every Zonal Control Mode
LMCI-MCH-23a-H	Space Conditioning System Fan Efficacy – Airflow Rate – All Zones Calling Only
LMCI-MCH-23b-H	Space Conditioning System Fan Efficacy – Airflow Rate – Every Zonal Control Mode
LMCI-MCH-23c-H	Space Conditioning System Fan Efficacy – Airflow Rate – Best That I Can Do
LMCI-MCH-23d-H	Space Conditioning System Fan Efficacy – Airflow Rate – Measurement Only – All Zones Calling Only
LMCI-MCH-24a	Building Air Leakage Diagnostic Test Worksheet – Building Enclosures and Dwelling Unit Enclosures – Single Point Test – Manual Meter
LMCI-MCH-24b	Building Air Leakage Diagnostic Test Worksheet – Building Enclosures and Dwelling Unit Enclosures – Single Point Test – Automatic Meter
LMCI-MCH-25a-H	Refrigerant Charge Verification – Superheat
LMCI-MCH-25b-H	Refrigerant Charge Verification – Subcooling
LMCI-MCH-25c-H	Refrigerant Charge Verification – Weigh In
LMCI-MCH-25f-E	Refrigerant Charge Verification – Packaged System Manufacturer Cert
LMCI-MCH-26-H	Rated Space Conditioning System Equipment Verification
LMCI-MCH-27b-H	Indoor Air Quality and Mechanical Ventilation – Total Vent Rate Method

LMCI-MCH-28-H	Return Duct Design and Filter Device Sizing According to Tables 160.3 A or B
LMCI-MCH-29-H	Duct Surface Area Reduction; R-Value, Buried Ducts Compliance Credit
LMCI-MCH-32-H	Local Mechanical Exhaust
LMCI-MCH-33-H	Variable Capacity Heat Pump Compliance Credit
LMCI-PLB-01-E	Multifamily Central Hot Water System Distribution – Non-HERS
LMCI-PLB-02-E	Individual Dwelling Unit Hot Water System Distribution – Non-HERS
LMCI-PLB-21-H	HERS Verified Multifamily Central Hot Water System Distribution
LMCI-PLB-22-H	HERS Verified Multifamily Hot Water Distribution – Individual Dwelling Unit
LMCV-ENV-21-H	QII – Air Infiltration Sealing – Framing Stage
LMCV-ENV-22-H	QII – Insulation Installation
LMCV-MCH-20a	Duct Leakage Diagnostic Test – New Construction
LMCV-MCH-20b	Duct Leakage Diagnostic Test – LLDCS
LMCV-MCH-20c	Duct Leakage Diagnostic Test – LLAHU
LMCV-MCH-20d	Duct Leakage Diagnostic Test – Existing Construction
LMCV-MCH-20e	Duct Leakage Diagnostic Test – Sealing Accessible Leaks
LMCV-MCH-21	Duct Location
LMCV-MCH-22a	Space Conditioning System Fan Efficacy – All Zones Calling Only
LMCV-MCH-22b	Space Conditioning System Fan Efficacy – Every Zonal Control Mode
LMCV-MCH-23a	Space Conditioning System Fan Efficacy – Airflow Rate – All Zones Calling Only
LMCV-MCH-23b	Space Conditioning System Fan Efficacy – Airflow Rate – Every Zonal Control Mode
LMCV-MCH-23c	Space Conditioning System Fan Efficacy – Airflow Rate – Best That I Can Do
LMCV-MCH-23d	Space Conditioning System Fan Efficacy – Airflow Rate – Measurement Only – All Zones Calling Only
LMCV-MCH-24a	Building Air Leakage Diagnostic Test Worksheet – Building Enclosures and Dwelling Unit Enclosures – Single Point Test – Manual Meter
LMCV-MCH-24b	Building Air Leakage Diagnostic Test Worksheet – Building Enclosures and Dwelling Unit Enclosures – Single Point Test – Automatic Meter
LMCV-MCH-25a	Refrigerant Charge Verification – Superheat
LMCV-MCH-25b	Refrigerant Charge Verification – Subcooling
LMCV-MCH-25c	Refrigerant Charge Verification – Weigh In
LMCV-MCH-25d	Refrigerant Charge Verification – FID
LMCV-MCH-26	Rated Space Conditioning System Equipment Verification
LMCV-MCH-27b	Indoor Air Quality and Mechanical Ventilation – Total Vent Rate Method

LMCV-MCH-28	Return Duct Design and Filter Device Sizing According to Tables 160.3 A or B
LMCV-MCH-29	Duct Surface Area Reduction; R-Value, Buried Ducts Compliance Credit (Fillable)
LMCV-MCH-32	Local Mechanical Exhaust
LMCV-MCH-33	Variable Capacity Heat Pump Compliance Credit
LMCV-PLB-21-H	HERS Verified Multifamily Central Hot Water System Distribution
LMCV-PLB-22-H	HERS Verified Multifamily Hot Water Distribution – Individual Dwelling Unit