

DOCKETED

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| Docket Number: | 22-HERS-01 |
| Project Title: | 2022 HERS Provider Applications for the 2022 Building Energy Efficiency Standards |
| TN #: | 254478 |
| Document Title: | Updated Guidance for Low-Rise Multifamily Compliance Forms for the 2022 Building Energy Efficiency Standards |
| Description: | This advisory replaces prior guidance regarding enforcement of document registration requirements. |
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| Organization: | California Energy Commission |
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**Regulatory Advisory: Update
February 15, 2024**

**LOW-RISE MULTIFAMILY COMPLIANCE FORMS FOR THE 2022 BUILDING
ENERGY EFFICIENCY STANDARDS**

On February 14, 2024, the California Energy Commission (CEC) approved CalCERTS, Inc. (CalCERTS) to provide registration of low-rise multifamily (LRMF) compliance documents for the 2022 Building Energy Efficiency Standards. For reference, the executive director recommendation for approval and the CEC order for approval are [available on the CEC website](#).

Updated Guidance

CEC staff recommends authorities having jurisdiction (AHJs) take the following steps to ensure that permitting for LRMF buildings under the 2022 Building Energy Efficiency Standards (Energy Code) is not delayed and that documents requiring registration are properly registered.

1. Effective February 15, 2024, qualifying permit applications shall include only registered certificates of compliance, as AHJs should no longer suspend enforcement of the impacted code sections as described in the [previous advisory](#).
2. For projects that were permitted using low-rise multifamily certificates of compliance (LMCC), and depending on which registry retained the certificates, AHJs are advised to consider enforcing document registration as follows:
 - a. On the CalCERTS registry, persons responsible for projects with retained non-registered documents must immediately register the retained documents then subsequently submit only registered documents.
 - b. On the CHEERS registry, persons responsible for projects with retained non-registered documents and who applied for a permit before February 15, 2024, may continue to document compliance using these documents, but only until the CHEERS registry is approved to register LRMF documents.
3. For projects that have completed the compliance documentation process and whose permits have been finalized, the CEC expects that all documents will be retroactively registered. AHJs have discretion to require registration retroactively. Registration supports program improvement, quality assurance of rater activities, and consistency of documentation for tract developments or communities that will continue to document compliance.

Table 1: Enforcement guidance for projects at different stages, by residential data registry, effective February 15, 2024

| Registry | Stage 1. Pre- Permit Application Projects | Stage 2. Partially Completed Projects | Stage 3. Fully Completed Projects |
|----------|---|---|--|
| CalCERTS | LMCC registration required | Register all documents, including manually completed forms, on the CalCERTS data registry. | Register manually completed forms on CalCERTS data registry. |
| CHEERS | LMCC registration required | Continue working with manually completed forms until the CHEERS data registry is approved. Once the CHEERS LRMF registry is approved, register all documents, including manually completed forms. See note below. | Retain forms until CHEERS is approved, at which time the forms should be registered. |

Note: CHEERS applied on January 15, 2024, for modification of its data registry to incorporate LRMF forms. Staff cannot estimate an approval date but will announce when the application is found to be complete per Title 24, section 10-110(b). Developments will appear on [docket log 22-HERS-01](#).

Compliance Software

Applications for projects using the performance method of compliance made on or after October 1, 2023, must use current compliance software, which include (at the time of this announcement):

- CBECC 2022.3.0 and CBECC 2022.3.0 SP1 or SP2
- EnergyPro 9.2
- IES VE 1.1

[This page provides additional information](#) and access to the software. Further compliance software revisions and approvals will be reflected on the same page.

Background

In November 2022, the CEC issued a [regulatory advisory](#) to recommend that enforcement agencies suspend registration requirements for LRMF projects until a registry is approved.

Both CalCERTS and CHEERS were [approved on December 14, 2022](#), to register single-family and nonresidential compliance documents for the 2022 Energy Code.

Both CalCERTS and CHEERS were certified to administer the Title 24 field verification and diagnostic testing (FV&DT) rating program and to certify raters to conduct FV&DT in all residential buildings, including low-rise single family, low-rise multifamily, and nonresidential (including high-rise multifamily) buildings.

Further Information

For additional information, please contact the Standards Compliance Branch by email at SCO@energy.ca.gov.

Additionally, questions about this advisory or the Building Energy Efficiency Standards in general may be directed to the Title 24 Hotline at:

800-772-3300, toll-free in California

916-654-5106, outside of California

Title24@energy.ca.gov