

**DOCKETED****12-HERS-01**

TN # 75698

MAY 04 2015

**RE: Conflict or Interest in HERS  
Docket 12-HERS-1**

Via email: Tue 4/28/2015 3:44 PM

As a Building Official I have a lot of concern for a HERS rater being able to pull a permit, especially one for which they will be doing the testing for. If a rater is pulling a permit they would therefore have motivation to see a permit be finalized and completed as quickly as possible. No longer would there be separation between the rater and contractor but instead it is as if a fox is now in the henhouse. I can nearly assure you that if the CEC allows raters to pull permits that we will have more and more problems with the raters, their reliability, and their trustworthiness as they are no longer providing oversight and verification but have more motivation to ensure the permit is completed and approved. Allowing HERS raters to pull permits would be yet another way for contractors to limit their exposure, liability, and also increase improprieties that will inevitably start to become more prevalent throughout the field of energy efficiency and code enforcement.

Also, has the CEC received any sort of opinion or interpretation from the CSLB on this topic? Does the CSLB have any reservations with allowing a HERS rater, who is not doing the work, obtain a permit for the work that they are only doing HERS rating on? It seems that CSLB may have some real issues with allowing the original HVAC contractor, who did the work, to abdicate their responsibilities..."

**Brad Wungluck, CASp**

Chief Building Official

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