

PEPA Conference 2019

Questions & Answers



MEES Regulation

Question Text

PEPA Response

- 1 When will the MEES regulator start fining landlords who let properties with F and G rated EPCs, or if they have started, where are the results published?

BEIS are currently trialling enforcement activities in several local authorities, however, there is no evidence showing what enforcement has taken place. PEPA are disappointed by this; the only enforcement is being delivered by managing agents and by mortgage providers, who are refusing to lend on properties that are sub-E. PEPA will engage with relevant ministers at BEIS to emphasise the importance of enforcement and the benefits this activity can bring.
- 2 How is the MEES being policed? We are nearly a year in and none of my Landlords or Agents have had any kind of check or contact regarding compliance of this?

As noted above, there are only a few trials ongoing on how enforcement could/should take place. PEPA are concerned and will make efforts to represent the positives for enforcement .
- 3 If a landlord wants to future-proof his home towards 2030 and wishes to install sol wall insulation at a cost of £8000, can he claim funding over the £3,500 cap?

Yes. The cap was added following pressure from PEPA, Schemes and other parties. It would be short-sighted of any landlord to only look to achieve E if the target is to move higher. Funding is available at a local level, from ECO (where tenants qualify) and a landlord could also invest in their asset.
- 4 Are currently lodged MEES exemptions still going to be valid for 5 years?

All exemptions are valid for 5 years, with the exemption of the 'no cost to the landlord' and 'recently become landlords' exemptions.

Validity of existing 'no cost to the landlord' exemptions:
Any 'no cost to the landlord' exemption registered between 1 October 2017 and 31 March 2019 will now end on 31 March 2020, instead of extending for five years as previously. Therefore, landlords who had registered such 'no cost to the landlord' exemptions must make the necessary improvements (up to the value of the cap, if applicable) to ensure their property meets EPC E (or as close as possible) by 1 April 2020.

All landlords who have registered 'no cost to the landlord' exemptions prior to 1 April 2019 will be contacted personally, via the PRS Exemptions Register, to alert them in good time to the adjusted exemption length. The PRS Exemptions Register will be updated by the Government, so that all 'no cost to the landlord' exemptions are automatically cancelled on 31 March 2020, and the landlord alerted of this electronically.

Also note that there is a temporary exemption of 6 months for those who have recently become landlords - under certain circumstances.

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MEES Regulation

Question Text

- 5 Are the MEES fines kept by the local authorities or central government?
- 6 £3,500 seems like a low cap. How difficult do you anticipate it being to monitor landlords' improvements focusing on second bullet point ref. exemptions?
- 7 Where and to whom should landlords apply for details on how to get advice and apply for any exemption under MEES.
- 8 What is the time limit for the £3,500 cap for landlords?
- 9 What comes first? The chicken or the egg, the EPC or the exemption ?
- 10 BEIS: when will allowances be made for those commercial units leased as empty/shell and core, for the purposes of MEES?
- 11 What is the process and advice that should be given to landlords when they have a case for the property being MEES exempt?
- 12 When will new domestic MEES guidance be published to support the amended regulations?

PEPA Response

The guidance does not clarify if LWMAs will be able to keep the money raised; this could have an impact on the resources available to enforce the regime.

The cap of £3,500 is higher than the one originally in place (£0) and also higher than the lowest cap that was proposed (£2,500). Local authorities are working on how they can verify exemptions when applied for and for non-conformity to the MEES regulations.

The government have published guidance on the following website <https://www.gov.uk/guidance/domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance>

It is in place now. The amount must have been spent since October 2017 and must have been to improve the property, prior to the change of tenancy, or by April 2020 at the latest.

All exemptions are valid for 5 years, with the exemption of the 'no cost to the landlord', which ends on 31st March 2020 and 'recently become

The EPC. An exemption must be based upon the EPC recommendations.

This will need to be answered by BEIS, however, there are ways to show that the building can meet minimum standards prior to marketing. An EPC is valid for 10 years and is accurate on the day that it is done. MEES doesn't require the EPC to be reflective of a future version of the building. Once the property is refitted out, a follow up assessment can then be done.

The best advice is for landlords to read the guidance for Landlords online - <https://www.gov.uk/guidance/domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance>

This provides advice for the registration of each type of exemption and what evidence is needed.

It was released in March 2019 - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/824037/Domestic_Private_Rented_Property_Minimum_Standard_-_Landlord_Guidance.pdf

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MEES Regulation

Question Text

PEPA Response

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| 13 Will there be any exemptions for landlords under MEES after 1st April 2020? | It is likely that MEES will be reviewed, which is likely to include the minimum rating (D) and the allowable exemptions, such as changing the spend cap. |
| 14 MEES - If a property is unlikely to EVER achieve the minimum 'E' category, ie, solid wall, off gas, can a lifetime exemption not be considered? | Regulations, recommendations, costs and technologies change, so exemptions only last 5 years. A solid walled property can be upgraded and off gas properties can have a renewable installed now, but in the future, more cost-effective technologies may be available. |
| 15 I thought regarding MEES exemptions the tenant refusal option was being withdrawn. | The Green Deal finance consent exemption was withdrawn in March 2019. Tenants should still have the right of refusing consent. |
| 16 MEES exemptions are due to last for 5 years, yet EPCs have a 10-year life, is this an inconsistency that will be explored? | Agreed. PEPA feels that the EPC should only be valid for 3 years for all triggers/transactions. |
| 17 Could we have non-domestic MEES information as well as domestic? Note also that HMOs require a commercial EPC. PEPA is meant for NDEA too isn't it? | <p>This is a very valid point and we are often criticised for focusing too much on domestic concerns. The 2020 conference will address this and we are seeking views on what topics we should cover.</p> <p>The Non-Domestic MEES Guidance can be found on this link; https://www.gov.uk/government/publications/non-domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance</p> |
| 18 If the £3,500 cap requirement is met but the dwelling remains F/G it is exempt. Does this only last 5 years like other exemptions? | Correct. All exemptions last 5 years; this to reflect changes in costs and measures that may be possible in the future. |
| 19 How do you access the PRS Exemption Register database of exempt properties? | Via the exemptions register link: https://www.gov.uk/government/publications/private-rented-sector-minimum-energy-efficiency-standard-exemptions |

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New Register

Question Text

PEPA Response

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| 20 Will the new register be cheaper to lodge reports? | PEPA are not able to answer this question yet, but we are engaging with government about the new register. PEPA feels strongly about fee stability and a fair fee which is consulted on. |
| 21 New EPC Register - access to input data of lodged EPC by accredited DEA | Access to data, by key and correct stakeholders is highly important. This point has been made to government during the Alpha discovery phase of the new register procurement process. |
| 22 Will the new register highlight visually when a certificate has expired without the need to open it? | PEPA supports this suggestion and will make sure this requirement is represented during further exploration of register requirements. |
| 23 Could PEPA provide the new central register? Their member schemes already provide 100% of all input data. | The register requires a specialist operator and whilst PEPA could do this, it is unlikely that we will meet all the requirements of such an organisation. It is better for PEPA and schemes to work more closely with the new register for the good of the industry. |
| 24 Can the register keep historic data and make it available to show improvements made over time? | Yes, and it currently does. Please feel free to visit the https://epc.opendatacommunities.org/ website to have access to historical EPC/DEC data for England and Wales. The data is being updated more regularly than before and will fall into a 3-monthly cycle. |
| 25 Will the central register include report xml files and if not, how will this affect collating prehistoric DEC data? | XML is a file format, which in its current form is not publicly accessible or distributable. PEPA has asked government to consider an alternative (XML or other) in future that is portable. |
| 26 How will the multiple EPCs issue (for the same property) be dealt with on a new register? | PEPA continues to work with government about multiple EPCs. Assessors need to ensure that any incorrect EPCs are replaced, and when doing so, ask their schemes to mark replaced EPCs as 'not for issue'. |

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Compliance

Question Text

PEPA Response

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| <p>27 How many non-compliance notices have been issued?</p> <p>What financial support and resources are provided to local councils and weights and measures to enable them to carry out enforcement activity?</p> | <p>Trading Standards is tasked with enforcement. They can issue penalty notices but there is no public register of this. PEPA has made a Freedom of information request to individual councils</p> |
| <p>28 Landlords & rental agents of properties with expired EPCs seem to be forgetting, either on purpose or accidentally. Are there any official plans to address this?</p> | <p>BEIS has been doing pilots on enforcement.</p> |
| <p>29 To assist enforcement authorities with Air Con reports will MHCLG consider data mining non-domestic EPCs to correlate AC systems with AC reports on the same property?</p> <p>Air conditioning inspections were described earlier as the poorer brother of energy assessments due to very low compliance. How can compliance be increased?</p> | <p>We have raised this with MHCLG and will continue to do so, along with suggestions on how enforcement could be made easier, ie, linking NDEPC with a need to have a A/C report.</p> |
| <p>30 Has any MEES enforcement taken place yet? When the minimum spend comes in , in April 2019 will enforcement be ramped up?</p> | <p>This question is already answered in the MEES section.</p> |

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Data

Question Text

- 31 I have often wondered why, for quality reasons, all EPC data (site notes, pics etc) are not kept centrally and access given to relevant people. Thoughts?
- 32 Are figures available for number of domestic EPCs in each band - G to A?

PEPA Response

Practicalities—it would have to be defined in a standard format, and together with logistics, cost, time, this could be burdensome. Who are the relevant people? Need to think about GDPR. It seems reasonable that a householder should be able to access it and allow permission to other 3rd parties to access data.

BEIS does analysis open data, <https://epc.opendatacommunities.org/>

EPB Regulations

Question Text

- 33 Let's invest the savings from a new EPC Register into tangible enforcement of EPB Regulations!!
- 34 Is the requirement for air conditioning reports going to remain in the EPB Regs?
- 35 Where is the requirement in EPB Regs to act on recommendations?

PEPA Response

Request if there are savings, should be used to enhance compliance.

As of this point ,yes, as EPBR transposed into UK law, EPBR3 mentions A/C and MHCLG have confirmed this.

None, as such, but because of net zero carbon by 2050, and other targets, we have to have mechanisms to raise standards and reduce emissions.

Training

Question Text

- 36 Issues for schemes - all auditors should have mandatory training at cross scheme events to ensure interpretation of conventions.

PEPA Response

Auditors themselves do not attend cross scheme training. We have in -scheme moderation managed by EASOB attendees, so cross scheme training is not required.

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Domestic Retrofit

Question Text

- 37 When do you plan for the first domestic retrofit designers to go live? What promotion will be done to back up this new service to the public?

PEPA Response

There are already a number of Retrofit Co-ordinators and Assessors trained and qualified, and a number of PEPA members have launched Assessor and Co-ordinator schemes. The Co-ordinator role has been in use for over a year on some schemes, operated by Retrofit Works, although these pre-date the formal introduction of the Role under PAS2035, and are operating outside of that at present. The first policy driver for the introduction of PAS2035 is the ECO Scheme, with the recent Govt Consultation proposing the mandating of PAS2035:2019 for all ECO installations. This is now confirmed and revised ECO legislation is in place requiring all ECO measures to be installed to PAS2030:2019, which mandates PAS2035. There is an 18-month transition period for all installers to move to PAS2030:2019 (which encompasses PAS2035:2019) running from 1st January 2020 (when the new legislation comes into force) to 30th June 2021. Installations under PAS2030:2019 during the transition period will attract a 20% uplift in ECO Scores to encourage installers to upgrade to PAS2030:2019 early.

- 38 EHC and PAS2035 has been 'worked on' since 2013. It appears to have the same aims as GD and ECO originally had. Why does the panel believe it will work?

PAS2035 is focused on ensuring quality retrofit and a more holistic whole-house approach. ECO and Green Deal are/were simply mechanisms to fund measures, and whilst the installations funded through these policy initiatives were underpinned by PAS2030, it was acknowledged that PAS2030 in itself was not delivering sufficient quality in retrofit, hence the introduction of PAS2035 to achieve this.

ECO3

Question Text

- 39 Can we really achieve reducing fuel poverty and carbon emissions using EPC data? LPG costs more but is less carbon intensive than oil.

PEPA Response

ECO is focused on Fuel Poverty and therefore reducing fuel costs as opposed to emissions. In the vast majority of cases, reducing fuel costs will reduce emissions, although there are exceptions such as the one stated here. However, installation of oil boilers is now excluded from ECO, so this scenario would not occur. If Government targets around EPC ratings are achieved, it will have a significant impact on emissions reduction; whether this will be sufficient or not can be debated, but we're a long way from achieving the targets, so it's a slightly academic debate at this stage!

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Software

Question Text

- 40 With the new types of heaters coming to market, will the software start to include these rather than just bulking them all together as panel heaters?
- 41 There should be a reporting function to allow DEAs to query faulty/fraudulently produced EPCs.

PEPA Response

This is an area being looked at by BRE and the SAP/RdSAP Technical Steering Group, on which all PEPA members are represented, and we all welcome feedback from members to feed into this process.

DEAs should raise such concerns with their Scheme - ideally the Scheme through which the EPC in question was lodged, if they are a member of that Scheme, but if not, it will get referred on by another Scheme. All complaints will be investigated, but there would need to be supporting evidence.

Trustmark

Question Text

- 42 Is Trustmark registration going to be available for non-domestic assessors?
- 43 What is the difference between a chartered building surveyor, who would traditionally design retrofitting work and a Trustmark assessor?
- 44 Will DEAs have to register with Trustmark to be able to undertake Retrofit Assessments?
- 45 Re Trustmark. What is a retrofit assessment?

PEPA Response

Currently PAS2035 only applies to domestic properties.

A Retrofit Assessor has to be a DEA. A Retrofit Co-ordinator does not have to be a DEA, but does need to obtain the Level 5 Diploma in Retrofit Co-ordination and Risk Management qualification. As such, a chartered building surveyor could fulfil either/both roles on a retrofit project if they have the appropriate qualification(s).

Yes. A DEA will need to both register with Trustmark and a Retrofit Assessor Accreditation Scheme, which PEPA members will be providing.

A Retrofit Assessment is a survey of a property that encompasses:

- An RdSAP Survey
- An Occupancy Assessment
- A condition survey
- A risk assessment

and include production of a retrofit assessment report that will need to be lodged on the Trustmark Data Warehouse via a Retrofit Assessment Accreditation Scheme.

Any PEPA member providing a Retrofit Assessment Scheme will be able to provide further details..

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Audits

Question Text

PEPA Response

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| <p>46 Do Smart audits encourage assessors NOT to overwrite defaults to avoid an auto-audit?</p> | <p>There are few 'default' inputs that would be affected by the smart rules, save for changing input U-values. If Energy Assessors have the appropriate available evidence to amend a U-value, particularly that the U-value was created by a suitably qualified person, an audit should be a fairly easy pass, thus providing the Energy Assessors competency to that rule. Software default values are difficult to determine in terms of what they should be, and vary from Scheme to Scheme, but as long as those defaults are in line with the Conventions, there should be no need to overwrite these. Again, as long as the Energy Assessor has the necessary evidence, or reasoning in their site notes, there should not be an issue if a smart audit is called.</p> |
| <p>47 In regards to SMART audits - rather than looking for failure once the EPC has been lodged, why not provide clarity via conventions on difficult to assess issues?</p> | <p>The best response to this query is to use RdSAP Convention 3.03a as an example. This states categorically that without evidence for retrofit insulation, the assumption should be 'as built'. The implementation of the smart rules for the use of 'unknown' has shown that in spite of the Conventions, Energy Assessors are unfortunately continuing to use 'unknown' incorrectly. The smart rules act in two ways, to make Energy Assessors aware that these data inputs are questionable and will be analysed by the Scheme, and secondly to sanction those who do not use the Conventions. The Conventions, however, do act as a starting point for possible rule creation, and the Domestic Working Group is currently investigating how the v11 Conventions can be transposed into better intelligence-led auditing.</p> |
| <p>48 Can audits be more timely, as auditing an EPC lodged several weeks previously, has potentially lost its impetus if there are any issues?</p> | <p>It is generally agreed that audits should be completed in a shorter time frame than they currently are. Energy Assessors have 15 working days to upload their evidence, as well as auditors having 15 working days on top of this to complete the audit; we see this can be almost two months to identify potential issues, with numerous possible incorrect reports being produced in the meantime. Unfortunately, there is not an appetite for this 15 working day upload timescale to be reduced from some elements of the industry. Even if this was reduced to 7 working days, we would be able to more effectively address reoccurring issues. There is certainly an interesting correlation between the time it takes for an audit to be uploaded, and whether it would fail an audit. As Schemes, we do not welcome auditing failures, or the burden of additional auditing and associated costs, however, there is a real need to improve the quality of reports that are being produced and to guide assessors on the updated requirements, these are our main concerns.</p> |

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Audits

Question Text

PEPA Response

49 Regarding smart audits for Non-Domestic EPCs, what triggers should be considered?

There are numerous triggers being considered for the risk-based auditing of non-domestic EPCs, however, the main issue is how to effectively interrogate the information contained within the XML file in order to have a significant impact on risk. Unlike domestic XML files, the non-domestic XML file cannot be immediately analysed and have the substantive details about the building extracted.

The initial set of rules will likely focus on multiple lodgements, and when/if the Register changes, look at further ways to analyse this data.

50 So if smart auditing is going well, are us long-time assessors still going to have to undertake 4 per year?

An energy assessor will always have 1% of their total lodgements randomly audited each year (for domestic). The only guarantee will be that you will get at least one randomly selected audit each year. If, however, you trigger the smart audit rules, you will likely receive more audits than 1% of lodgement.

It's a common misconception from the old SORs that assessors would receive only 4 audits per year (once per quarter). This should always have been as part of meeting a 1% minimum.

If any assessor lodges 500 reports in a year, for example, they should expect at least 5 randomly selected audits.

51 Change to audit more large buildings, as I think many of these are dropping through the cracks, especially modelling of tenant fit outs in offices.

Risk-based audit rules for non-domestic buildings will factor in building size in the future.

52 Quality assurance (smart auditing) of SBEM should have a periodic cycle of focus on specific aspects, eg, building types, lighting etc. Whole EPC

The trouble with periodic cycling is that lodgements which would be likely to fail in one part of the cycle could be lodged under another cycle.

For example, if we decided that June lodgements will be the focus of auditing for lighting, all questionable jobs with incorrect lighting details would then just be held over and lodged in August, when there is less chance of it being audited.

Whilst it's a cynical point of view, it is a very common occurrence. This method was discussed when the original smart audit trial for domestic (RdSAP) auditing took place in 2016, but the risk of the process being used in a negative manner, would have exceeded any benefit.

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Audits

Question Text

PEPA Response

53 Can we have an audit appeal process that allows a further stage of independent appeal outside the host accreditation body?

It is felt that Schemes have the best knowledge in terms of dealing with appeals relating to auditing failures. They provide their assessors with ample guidance on what to provide for evidence and how to appropriately complete an assessment within the scope of their interpretation of the RdSAP Conventions. Adding an additional level above this, serves no benefit to Assessors, Schemes, or the Industry as a whole.

In addition, it is highly unlikely that an assessor will be willing to pay the cost of an additional level of appeal – there will be cost associated with finding and utilising ‘independent’ adjudicators, who will inevitably be paid for the time by the Scheme, thus destroying any precepts of independence.

54 Any chance of calling me to say none of my photos have uploaded instead of just failing me?

At some schemes, when uploading for audit, assessors must agree that they have double-checked all of their evidence for audit, and that if anything is missing, the audit will fail with no grounds for appeal. In fact, we’ll always request an audit and make assessors check their evidence again, even if they’ve already uploaded that evidence into our software.

We understand Assessors want to be treated as professionals. As professionals, it is their responsibility to confirm all documentation has been uploaded for audit. If you miss some evidence as part of a tax return, you will not have HMRC calling you up to just check whether what you said was all there was actually all there.

Many Assessors upload correctly on a daily basis and a continual failure to upload evidence would suggest that the required time is not being spent on audits. We appreciate audits are seen as a menial and time consuming task, however, one of our missions is to improve quality and supporting our members through this process.

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EPC

Question Text

PEPA Response

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| 55 | How likely will the lifespan of a domestic EPC be adjusted, to make it more relevant? | We would anticipate and very much welcome a reduction in the validity periods for all EPCs at some point in the near future. We still await a response from the Energy Performance Certificates for Buildings: call for evidence that questioned the life span of an EPC and possible trigger points. |
| 56 | Should EPCs be updated post installation of Solar PV? | <p>The reason a post-installation EPC was never really required following PV installation is that the Feed-in Tariff requirement was rating prior to installation.</p> <p>With the introduction of the Smart Export Guarantee, there will be no EPC rating requirements as only one tariff per provider will be available. This means even less likelihood for a post-install EPC.</p> <p>It would still be best practice for homeowners to get a post-install EPC completed anyway to demonstrate the upgrade to their dwelling.</p> |
| 57 | Should there be a minimum charge for EPCs linked to property size? | <p>This is a fairly difficult question to answer as the general expectation is that a larger dwelling is more complex and would therefore require more work, hence it more logical to link cost with size, however this is not always the case. It could also be the fact that a large dwelling is just a box with a number of habitable rooms and no additional building parts to calculation; how could a DEA justify an increased fee when less work may be undertaken?</p> <p>There is no single solution or magic bullet that can help resolve this issue.</p> |
| 58 | Why can't BEIS/MHCLG give a timeline for releasing the call for evidence on EPC? | This is something that all Schemes are questioning. |
| 59 | Why do EPCs have to have a 10-year lifespan, when improved measures take so long to enforce! Surely we will never achieve the ultimate goal! | <p>The 10 year validity period is a 'copy and paste' straight from the original Energy Performance of Buildings Directive, which states that the validity period of an EPC shall not exceed 10 years. Civil Servants clearly didn't conclude that this needed amendment at this stage, or the subsequent recasts of this Directive.</p> <p>It is clear that the Government will seek to change this validity period in an effort to benchmark dwelling carbon emissions as part of an effort for net-zero emissions by 2050.</p> |

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EPC

Question Text

PEPA Response

- 60 How can we best address the massive performance gap between EPCs and actual performance of new dwellings?

The performance gap is not just between an EPC and new dwellings, but all dwellings. This is something that BEIS is taking a great amount of interest in, as any attendees of the Futurebuild 2019 would have noted.

The main area of difficulty is the accurate modelling of a dwelling's heat-loss coefficient. To accurately model this, you would need to do a co-heating test, which would need to seal the dwelling off for around a week to map all of the dwelling's fabric losses. As there can be such a variation in the performances of the fabric, this can lead to the generalised assumptions which SAP/RdSAP use as the backbone of their calculation.

BEIS is investigating whether data from smart meter-enabled devices can help close this performance gap, but in any scenario, this shows the need for a continual domestic DEC-style document to differentiate the dwelling asset rating and the added occupational factors, which are currently disregarded.

- 61 Shouldn't the 'unknown' option on the EPC be replaced with 'as built' to avoid a smart audit being generated as it is vague to say the least?

There are particular circumstances within the Conventions that 'unknown' can be used appropriately. This would require the DEA to 1) have a good understanding of the Conventions, and 2) collect sufficient evidence to show that the use of 'unknown' was appropriate.

If assessor continues to use 'unknown' indiscriminately, increased auditing would be a suitable sanction.

- 62 What happens when a property owner has made a decision on an EPC score that downgraded weeks later after audit?

This is a pretty rare scenario, but the onus is on the assessor to ensure the correct EPC is lodged in the first instance. Where a subsequent re-lodgement is made, the onus is again on the assessor to outline this, the reasons, and what to do if the customer wishes to make a complaint.

Unfortunately, there is very little that an assessor can do in this scenario, but would be dependent on the level of the error, and any financial losses associated. This is the very reason that DEAs need to be insured.

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EPC

Question Text

PEPA Response

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| <p>63 Why, after 12 years, we are meeting up to see the value of having a professional energy assessor visit your home, but I still see EPCs online for £39.50?</p> | <p>There is little doubt that it is invaluable to have Energy Assessors visiting dwellings and producing an EPC. In terms of the cost, the market determines the cost of an EPC. We can only hope that increasing the quality of EPCs will drive the industry and mean the report is a more valued document.</p> |
| <p>64 Does a deemed score replace the requirement for an EPC?</p> | <p>This question is seemingly about ECO, for that last few years, ECO work has been based on a deemed score, as opposed to ECO scoring against an EPC. Whilst the EPC could still be completed, deemed scoring is a much quicker method to arrive at a similar result.</p> |
| <p>65 There are many reasons why an EPC is registered. Would it not assist the consumer and all other interested parties for this to be stated clearly on the EPC?</p> | <p>The introduction of RdSAP v9.94 sees DEAs being required to state the exact reason why a new EPC is being lodged if there is already a valid EPC registered against the dwelling. This would be an aid for Government and the Schemes in determining the reasons for lodgements, multiple lodgements, and can be used to gather baseline evidence to assist in determining a new validity age for an EPC.</p> <p>It is questionable whether this information would be useful to anyone outside of the industry, as most requirements are that a valid EPC is in place, not necessarily the reason why the EPC has been lodged.</p> |
| <p>66 Is it realistic to produce accurate improvement recommendations while EPC inspections are non-destructive?</p> | <p>Yes; the recommendations give homeowners options based on the worst-case scenario. Using 'as built' for wall and floor insulation will give a recommendation for insulation; by giving a recommendation, it gives the homeowner the option to determine whether this will need to be done, or if it already has been done, to gather suitable documentary evidence to be able to prove the insulation.</p> <p>The recommendations give homeowners options, whereas failing to provide that option limits what the homeowner may be able to do to improve the energy performance of their dwelling.</p> |

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EPC

Question Text

PEPA Response

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| <p>67 Would the introduction of a new EPB Register provide an opportunity to revamp the EPC itself to provide more accurate and up-to-date information?</p> | <p>All Schemes would hope this would be the case and we as PEPA are pushing for positive changes and sharing comments we receive from our members to the relevant people.</p> |
| <p>68 Why is there no option for 25mm internal wall insulation in the domestic EPC when it is so common in solid wall property improvement?</p> | <p>The completed improvement for solid wall insulation is to a U-value of 0.3 W/m²K; this would 100mm added insulation for a pre-1983 wall, or 50mm added post-1983.</p> <p>Adding 25mm of insulation would do very little in reducing the wall U-value to a level which would have a positive impact on the thermal performance of that element. If documentary evidence for the installed 25mm insulation was retained, and provided a lambda value of the insulation was less than 0.025 W/mK, the 25mm could be doubled to 50mm.</p> |
| <p>69 Non-domestic landlords often rent a property as an almost shell (no lighting/heating) with a view to the tenant fitting out to their spec. Interim EPC may make sense.</p> | <p>This question appears to be aimed at the inability to hit an E rating for MEES with a shell and core building. There is no real hard and fast solution to this; the default assumptions from the Conventions, such as lighting, could mitigate this, but another solution is an interim leasing agreement between landlord and tenant, which states that the lease shall begin once works to the premises have been completed and a new EPC lodged.</p> <p>Despite repeated enquiries, neither MCHLG nor BEIS have been able to provide clear, unambiguous guidance on this topic.</p> |

EPC Register

Question Text

PEPA Response

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| <p>70 How do you remove a defective EPC from the register done by another Assessor with another Accreditation Scheme?</p> | <p>Make a complaint to the lodging scheme.</p> |
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EPC

Question Text

- 71 Could the EPC layout be updated to include at least one piece of 'evidence' that could only be gained during the survey to eliminate 'drive by' EPCs?

PEPA Response

This is something that Portuguese EPCs already have – they display the front elevation of the dwelling on the front of the Certificate. However, this is not a solution to solving drive-by EPCs, as there is no way to guarantee that any photo provided is from the dwelling in question, without running the image through a program to cross-reference the date of assessment and the date the photo was taken.

The only way to eliminate the prospect of drive-by EPCs is for Energy Assessors to be more proactive and inform Accreditation Schemes of those specific Energy Assessors they know not to be attending dwellings. We hear all too readily at Industry events, stories of those Energy Assessors who don't visit site, but still lodge an EPC, but when pressed for a name and a Scheme, people become incredibly reticent to actually ensure that person is removed from the industry. Schemes cannot check the validity of every photo taken for every EPC lodged, so raising specific examples with Schemes through their complaints procedure is the best way to do

HMOs

Question Text

- 72 Can we have more clarification over the classification of HMO/ student flats EPC status? Are they domestic or non domestic?
- 73 HMO commercial EPC or Domestic?
- 74 If HMOs require EPCs, which type of EPC is to be produced, ie, Domestic or Non Domestic EPC? (HMOs are not classed as dwellings according to other regulations).

PEPA Response

PEPA in association with the Accreditation Schemes wrote the following guidance:

Occupancy is immaterial to the assessment of the building.

Design use of the building is important.

RdSAP or SBEM may be the appropriate methodology for the assessment depending on the original designed use of the building.

Similar properties are being assessed using different methodologies, resulting in similar properties receiving different certificates.

If the original designed use of a building was for a single family occupancy, the correct methodology for assessing the building would be SAP/RdSAP; the result will be more appropriate than other methodologies in assessing the building.

If the original designed use of a building was for multiple occupancy, the correct methodology for assessing the building would be using SBEM; the result will be more appropriate than other methodologies in assessing the building.

PEPA Conference 2019

Questions & Answers



HMOs

Question Text

- 75 Why do HMOs not need an EPC?
- 76 If multiple houses have been knocked into one and turned into a HMO. Is this non-domestic or domestic?

PEPA Response

HMOs do require EPCs if the property is being sold or let. However, the letting of rooms only within an HMO is not a trigger for an EPC under the EPC legislation.

Domestic—if it has recently been knocked in to one it would require a SAP.

Listed Property

Question Text

- 77 Will MHCLG give assessors a straight answer on whether a listed property in England and Wales requires an EPC, considering the current guidance is so
- 78 Why do MHCLG think listed buildings should not require EPCs? These are some of the worst performing buildings. EPCs do not affect the character
- 79 Can you clarify the requirements for an EPC on a listed building, in particular around MEES?

PEPA Response

MHCLG cannot provide direct clarification on legislation, the guidance provided by MHCLG is to assist building owners and their legal advisors to determine if the regulations for having an EPC apply to their building(s).

MHCLG have no specific opinion on listed buildings; the guidance provided by MHCLG is to assist building owners and their legal advisors to determine if the regulations for having an EPC apply to their building(s).

BEIS Guidance: There is a common misunderstanding relating to listed buildings and whether they are exempt from the requirement to obtain an EPC. Listed properties, and buildings within a conservation area, will not necessarily be exempt from the requirement to have a valid EPC and it will be up to the owner of a listed building to understand whether or not their property is required to have an EPC. Where a listed privately rented non-domestic property, or a property within a conservation area, is required to have an EPC, that property will be within scope of the minimum energy efficiency standards.

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Questions & Answers



Listed Property

Question Text

PEPA Response

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| 80 | Listed property.... again... how do EPC recommendations to increase of levels of loft insulation or upgraded boiler make unacceptable changes to a Listing? | BEIS Guidance advises: Examples of energy performance measures which may alter character or appearance (or as a minimum are likely to require local authority planning permission to install on a listed building) include external solid wall insulation, replacement glazing, solar panels, or an external wall mounted air source heat pump. Where character or appearance would not be altered by compliance with energy performance requirements, an EPC may be legally required. |
| 81 | Do we really want to tell owners of traditionally built properties to block up their chimneys to increase their EPC rating? These dwellings need to breathe. | Blocking up chimneys is not a recommendation that appears on an EPC. Such advice is outside the scope of an EPC and of that of an Energy Assessor, who should contact their Accreditation Scheme. |

PI

Question Text

PEPA Response

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| 82 | Does Accreditation Scheme's PI, as relied upon and used by assessors, cover 'written, legally binding advice'? MEES is all about written advice surely. | Assessors are advised to contact their Accreditation Scheme for this information. |
| 83 | Who are we meant to send clients to when we are not insured to give advice? | Assessors are advised to contact their Accreditation Scheme. |
| 84 | Are DEAs and NDEAs covered by Schemes' insurance to give advice? | We do not provide insurance cover, but I think that the answer is no. |

PEPA Conference 2019

Questions & Answers



Policy/Legislation

Question Text

PEPA Response

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| 85 | Still too many instances where new-build dwellings and non-dwellings are not signed off by Building Control (in England). What is BEIS/MHCLG/CABE/LABC/PEPA doing? | |
| 86 | With the mass de-carbonisation of the electrics grid through renewables and nuclear power, why are policies/legislation still being based on running costs? | Because in the domestic market where this is done, that is still considered to be a driver of behaviour change. |
| 87 | Is there still a plan or an aspiration for the government to be moving domestic properties away from mains gas for heating & hot water? If so, what timescale? | Yes, see recent news. |
| 88 | For BEIS - is there a policy-led push towards electric energy efficiency measures verses gas? | Yes, see recent news. |
| 89 | Given recent CCC report recommending phasing out gas, should ECO and other policies still support it, and should EPCs still recommend it? | PEPA could seek guidance from BEIS and MHCLG on advising assessors to remove this recommendation, or have it removed from the list in the software in the first place. |
| 90 | Should the government be the ones to educate customers about energy saving as they mostly feel it is of no value in my experience? | This is a shared responsibility, but no reason for government not to take the lead. |

PEPA Conference 2019

Questions & Answers



Policy/Legislation

Question Text

PEPA Response

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| 91 | Is ECO3 available to social housing landlords? | According to the OFGEM site, yes. |
| 92 | Shouldn't off-grid, traditionally built dwellings be given greater 'assistance' and classified as the 'new' hard to treat? | If off-grid means off gas grid, this question is made redundant by the recent announcements on phasing out gas. |
| 93 | With smart boiler controls now being encouraged with the latest regulations, when will they be included in RdSAP? | This is one for BEIS/BRE? |
| 94 | What is the status of Green Deal for Domestic and Commercial? | According to the gov.uk site the domestic Green Deal is still alive and kicking, not so sure about non-domestic and of course this week the Labour Party have invented the Green Deal again. |
| 95 | With the introduction of Trustmark and PAS2035 will Green Deal be finally pensioned off? | See above |
| 96 | What is PAS2035? | PAS 2035 covers how to assess dwellings for retrofit, identify improvement options, design and specify Energy Efficiency Measures (EEM) and monitor retrofit projects. |
| 97 | Why is there no/REDUCED inducement for solar PV? | It is not required. |
| 98 | Will you stop the funding from being claimed by companies that have no intention of installing measures as with previous ECO schemes, so there may be longevity? | One for OFGEM? |

PEPA Conference 2019

Questions & Answers



Policy/Legislation

Question Text

PEPA Response

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| 99 Do landlords now have to re-move their RHI funded systems and install OCH systems to continue to rent their dwellings out? | No, not yet. |
| 100 How do MHCLG view Agreement to Lease agreements? Are they a way of circumnavigating MEES regs only? | This requires legal advice, they are not circumventing MEES, they are facilitating MEES compliance. If a government dept concern it would be BEIS not MHCLG, but this is actually a legal advice question. |
| 101 Should a BREEAM assessment be compulsory on all new-build non-domestic buildings? | Wider than our energy remit. |
| 102 What's the ONE thing which would improve "UK plc" journey to more efficient buildings? | Better Regulations and better enforcement of Regulations. |
| 103 What about the welfare of the Energy Assessors, what more can the Accreditation Companies do to look after their assessors/make them feel more val- | We use UKAS accredited Certification to make our assessors feel valued. |
| 104 Can our guests take the quality control ethos back to government? | One for Gov. |
| 105 DECs include a check question on TM44s existing. Why is government not acting on this for non-compliance? | Do we know that they are not? |

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Questions & Answers



Policy/Legislation

<u>Question Text</u>	<u>PEPA Response</u>
106 Should there be tighter regulations on suppliers of green energy to provide the type of improvements the property is befitting from?	No
107 Do you think all new properties should be air tested as a mandatory requirement?	Yes
108 Do recommendations for wall and room in roof insulation need to be more specific?	No they are recommendations
109 Do you think being a DEA is enough qualification to actually give advice?	On getting a better EPC rating, yes.
110 Who advises landlords on how best to get the best bang for their buck?	Assessor should contact their Accreditation Scheme.