



NORTHEAST HOME ENERGY RATING SYSTEM ALLIANCE

April 3, 2024

Dear Mr. Finlayson,

These comments are submitted on behalf of the Northeast Home Energy Rating System Alliance (NEHERS)'s Energy Code Committee. The NEHERS Alliance was formed in 1998 to foster, unify and promote HERS Industry in the Northeast, including the following states: CT, MA, ME, NH, NJ, NY, OH, PA, RI and VT. We represent 9 providers, over 250 rater members, plus over 50 RFI, Modeler, and HERS Rater candidates in training. The Energy Codes Committee is responsible for reviewing the Residential Energy Code with respect to HERS Raters concerns and taking actions where appropriate to attempt to improve the clarity and implementation of the Residential Energy Code.

We applaud Massachusetts' efforts to create an energy code that is ambitious and designed to meet the state's climate goals.

The demand for HERS Raters across the commonwealth is significant, and we want to make sure that there are adequate resources available to support the industry as we prepare for a significant increase in stringency for new construction on July 1, 2024 when the HERS index drops to a 42. The new stretch code has also added complexity which creates gaps to enforcement, where there are specific situations that have not been directly addressed in how to enforce the code which leads to questions and confusion from both Raters and Code Officials. For example, interpretations may need to be made about unique projects that have very project-specific questions that aren't common. The technical guidance document provided by DOER is a great resource, but only goes so far to address unique situations that raters may come across.

The Municipal Opt-In Specialized Code in Section CC101.2 also removes the option for HERS compliance in R-Use buildings over 12,000 square feet and R-Use portions over 12,000 sf in mixed use buildings in favor of a passive house approach. This will have a negative impact on our industry, as not all HERS Raters are trained as passive house consultants. Passive house verifiers have also expressed concerns that hanging a certificate of occupancy on passive house certification could create problems with project scheduling. If compliance could be completed via a selection of passive house requirements (such as energy intensity, whole building leakage either PHIUS or PHI, ventilation, Energy Star MFNC) rather than full certification, that might be an easier step for builders to achieve on their way to passive house becoming more widespread, This would also allow the current HERS Rater market to have time to work towards gaining that credential and not cause a potential bottleneck.

The biggest concern that our members have expressed is about the stringency of the requirements for large existing building additions and alterations. A HERS 52 is difficult to

achieve in an existing building because the air leakage of unaltered portions of the building remains high, and a whole home blower door test is going to include both new and existing portions of the thermal envelope. Rating the whole home will also factor in equipment that may not be replaced, which can also negatively impact the energy model.

These public comments are intended to express a snapshot of the biggest concerns of the HERS industry about the Stretch Code and Municipal Opt-In Specialized Code, and we encourage our members to submit their own additional comments for clarification.

The Northeast HERS Alliance appreciates the opportunity for public comment, and we encourage the DOER to reach out to us with any questions or concerns,

Thank You!

NEHERS Energy Code Committee