



State of Vermont
PERMIT AND LICENSE INFORMATION

2011 RESIDENTIAL BUILDING ENERGY STANDARDS (RBES)

- WHAT IS RBES?** The Vermont Residential Building Energy Standards (RBES), as defined in 30 V.S.A. § 51, require that residential construction meet certain energy efficiency requirements.
- WHO NEEDS TO COMPLY?** RBES applies to new single-family and two-family homes, multi-family housing three stories or less, additions, and renovations. RBES does not apply to mobile homes* or non-residential buildings.
- * However, site built components such as conditioned basements or crawlspaces are not exempt.
- WHAT DO I DO TO MEET RBES REQUIREMENTS?** RBES requires a minimum set of thermal energy standards (i.e., insulation R values, window U values, heating system AFUE efficiency, etc.) and requires that certain basic measures be included (i.e., air sealing, pipe and duct insulation, vapor retarders, etc.). A list of example compliance packages for common housing types can be obtained in the online Handbook at: http://publicservice.vermont.gov/topics/energy_efficiency/rbes.
- IS THERE MORE THAN ONE WAY TO COMPLY WITH RBES?** Yes. RBES allows for flexibility. For example, if you want to add more windows to a building, you may need to add more insulation or a more efficient heating system to make sure the building complies with RBES. If your housing plans do not match one of the example compliance packages, you can easily calculate what to do to comply using free software or other RBES compliance tools.
- WHAT ABOUT LOG HOMES?** For homes with log walls, RBES has lesser overall thermal envelope requirements. Log home requirements are included in the online Handbook at: http://publicservice.vermont.gov/topics/energy_efficiency/rbes.
- IS ANY TYPE OF CONSTRUCTION EXEMPT FROM RBES?** Yes. Buildings or additions that are neither heated or cooled, and hunting camps are exempt. There are also exemptions for registered historic buildings.
- IF I'M BUILDING MY OWN HOME DO I NEED TO COMPLY?** **No. For residential construction not subject to Act 250**, a homeowner may knowingly choose to not have a home meet RBES if the owner directs the details of construction with regard to the installation of materials not in compliance with RBES and then lives in the home. The owner must also disclose in writing to a prospective buyer, before entering into a binding purchase and sales agreement, the nature and extent of any non-compliance with RBES and file this information in the town land records and provide a copy to the Department of Public Service.

CAN RBES BE USED AS EVIDENCE IN ACT 250?

Yes. Residential construction is presumed to comply with Act 250 Criterion 9(F), Energy Conservation if the construction meets RBES. Concerning the role of RBES in Act 250, 21 V.S.A § 266(d) states: “Substantial and reliable evidence of compliance with RBES established and updated as required under this section shall serve as a presumption of compliance with 10 V.S.A. § 6086 (a)(9)(F) except no presumption shall be created insofar as compliance with subdivision (a)(9)(F) involves the role of electric resistance space heating.”

WHAT PAPERWORK IS INVOLVED?

RBES requires that a certification label (available from the Department of Public Service) be signed and permanently affixed in the home (i.e. the outside of the heating or cooling equipment, the electrical service panel located inside the building, or in a visible location in the vicinity of one of these three areas). The person certifying must provide a certificate to the Department of Public Service and each certificate must be recorded and indexed in the town land records.

WHO CAN CERTIFY A HOME?

The builder of the home, a licensed architect or engineer, or a Vermont-accredited home energy rating organization can certify compliance with RBES.

IS THERE A PENALTY IF I DO NOT COMPLY WITH RBES?

If the home does not meet RBES, a homeowner may seek damages in court within six years of occupancy or filing of the certification. In addition, the State may enforce Act 250 violations. Towns that issue Certificates of Occupancy must receive an RBES Certificate or a Vermont Owner/Builder Disclosure Statement prior to issuing a Certificate of Occupancy.

WHEN WILL THE RBES BE REVISED?

The Department of Public Service is required to update the RBES “promptly after the issuance of updated standards for residential construction under the International Energy Conservation Code”, which is updated every three years. The next RBES update is tentatively scheduled to take effect in early 2015. Additional information is available on the DPS website at: http://publicservice.vermont.gov/topics/energy_efficiency/code_update .

WHERE CAN I GET ASSISTANCE?

The **Energy Code Assistance Center** (128 Lakeside Avenue, Burlington, VT 05401) may be reached toll-free at **1-888-373-2255** (in state) or (802) 860-4095 and by email at: ecac@veic.org. The Center provides homeowners and builders with information and compliance packages supporting RBES. There are printed manuals, software and certification labels available from the center. Information about incentive programs and energy ratings to make homes more energy efficient is also available from Efficiency Vermont. Visit Efficiency Vermont's the website at: www.encyvermont.com/rnc or call 1-800-893-1997.

ADMINISTERING AGENCY

**DEPARTMENT OF PUBLIC SERVICE
PLANNING & ENERGY RESOURCES DIVISION**

PHONE: 802-828-2811

ADDRESS: 112 State Street, Montpelier, VT 05620

WEB ADDRESS: <http://publicservice.vermont.gov>