

# PEPA Conference 2020

## Questions & Answers



### Audits & Compliance

#### Question Text

#### PEPA Response

- 1 Has smart audit taken over from random audits - ie we are only now receiving smart audit requests and not the previous style audits ?

When audit selections are made, randomly selected audits are still the top priority, however, the requirements of this have been reduced, for example, instead of 1% of total lodgements being randomly audited, it would now be 0.5%.
- 2 What is the most current date of the smart audit rules?

v1.3 of the rules was released in July 2019- version 1.4 will be updated later this year
- 3 Has the introduction of Smart Audits seen a rise or fall in the number of assessors that are suspended?

It is difficult to determine whether suspension numbers have increased, but thinking rationally, this may be the case. By focussing on areas of risk, these audits would be more likely to produce an audit failure than a randomly-selected audit. Given that, there is further scope for suspension under failing to relodge a report, and subsequent follow-on auditing risks.

Importantly though, the trigger rules act as a deterrent and allow assessors to objectively review the data inputs made and amend any errors prior to lodgement and audit.
- 4 So there shouldn't be any reason to get more than 1 % random audits per year if you have had no fails?

Presuming this refers to domestic auditing, there are a number of issues to raise. Firstly, if an audit fails, you would receive a follow-on audit; this would not be included as part of your auditing percentage.

Secondly, last year, the minimum random auditing requirement was reduced to 0.5% of total lodgements.

The key to the statement is that this is a minimum level of random auditing, so would be more than likely that a Scheme would want to maintain this percentage above 0.5% consistently across the year.

Additionally, Schemes must ensure that 2% of all lodgements are audited in some manner, so would need to maintain this by keeping assessors above the minimum requirement.
- 5 Is the 120 lodgements a month generating a number of simultaneous audits, is the month a 4 week or calendar?

Audits are determined by a Scheme individually from the lodgements in the previous calendar month.

# PEPA Conference 2020

## Questions & Answers



### Audits & Compliance

#### Question Text

- 6 As a social housing company we sometimes have EPCs done by 3rd party DE-As which we believe are of poor quality. Is there a route to refer to PEPA for audit?
- 7 Are assessors given an individual risk rating? Is the assessor aware?
- 8 With smart auditing, how are rogue assessors who persistently enter lofts as being inaccessible or entering no secondary heating, for example, being identified?
- 9 When are additional smart audit rules for OCDEAs likely to be introduced, now that multiple lodgements have been reduced?
- 10 If the smart rule compliance has been sent out to me, due to work pressures I may have missed them. I looked recently on members area. Are they there?

#### PEPA Response

If there are concerns over the quality of an EPC or the competency of the Energy Assessor, and these issues have already been addressed with the Assessor (if suitable) then the Assessors Accredited Scheme should be contacted for a decision to be made on suitable action.

Firstly, Assessors are not given a risk rating. Any action taken is in line with the auditing requirements as set out in the Scheme Operating Requirements.

The way a 'Smart audit' is selected takes a smarter, risk-based approach, but the audit still relies on the evidence presented by the Energy Assessor. If no photographs of secondary heating are provided, it would be very difficult for an auditor to state otherwise; similarly for using 'unknown' for a loft if the assessor gives notes about access issues or health and safety concerns.

All Schemes expect Energy Assessors to act in a professional manner at all times, to complete assessments in full, and to provide all necessary evidence for audit. Schemes have the necessary disciplinary measures in place where this is not the case, however it also requires Energy Assessors to be less reticent in naming and shaming those whose poor practice is negatively impacting the industry and to raise issues with Schemes.

The OCDEA working group is working on the introduction of additional rules, however, a risk-based auditing approach requires being able to review all of the data associated with that lodgement; where a third-party software is used, a Scheme may not have all of the data needed to adequately interrogate lodgements for rules. Hopefully, with the new Register being a much more expansive store of data, this can be used more effectively by Schemes in their analysis.

All Smart Auditing Rules can be found on the Energy Assessor Scheme Operating Board website. All Schemes will also be able to provide guidance as to where you can find them on their portals.

# PEPA Conference 2020

## Questions & Answers



### Audits & Compliance

#### Question Text

- 11 If an assessor comes across a lodged Non Domestic EPC that has significant question marks around it, what is the process for raising this and getting a reply?
- 12 Will we see more joined up enforcement of non compliance Name & Shame DEC'S or lack of?
- 13 Thanks Andrew, clarity! "Why should we stop at C, indeed?" Compliance needs to facilitate CHANGE.

#### PEPA Response

Any initial query/complaint should be directed at the Assessor that lodged the report. If the issue cannot be resolved between both parties, the Accreditation Scheme with which the report was lodged can be contacted for further guidance.

Enforcement is completed at a local authority level however would happily support strongly compliance enforcement; or any enforcement.

PEPA has also introduced a new service for energy assessors and members of the public to report instances of non-compliance with the need to have a valid EPC in respect of properties marketed for sale or let, and for public buildings to display a valid DEC.

The Clean Growth Strategy provided aspirations around home retrofits to an EPC band C by 2035 where practical, cost-effective and affordable. The Clean Growth Strategy included an ambition to upgrade as many privately-rented homes as possible to EPC band C by 2030. In order to achieve Net Zero there needs to be a pathway for change. There is currently a 'recommendation' for UK Government, that Minimum Energy Efficiency Standards for rented commercial properties should be at EPC Band B by 2035.

# PEPA Conference 2020

## Questions & Answers



### DEC

#### Question Text

#### PEPA Response

- |    |  |   |
|----|--|---|
| 14 | Will the DEC expiry date be on first page?   | This is on the first page as 'valid until'  |
| 15 | DECs - could OFSTED be consulted/ approached to bring in compulsory DEC compliance for OFSTED inspections, with a view to improving the rating over time?              | This is a good suggestion. PEPA can consider this, but it would have more weight from MHCLG so that might be the approach taken by PEPA.  |
| 16 | Do you think the regulation and management of DEC's should go to the Environmental Agency instead, to ensure the public authorities get them done?                     | PEPA have suggested to BEIS that they take control of EPB Regs, but we don't think that this is something that they can action however desirable.   |
| 17 | Do you think the fines should be increased for not having a DEC?   | Yes   |
| 18 | How strongly do you feel the government (after the future consultation) will make DEC's mandatory for the private sector?  | There is a lot of pressure on them to do this, it was also picked up during the EPC consultation, (the need for operational data), but we are not sensing any appetite or urgency from MHCLG.   |
| 19 | What is the likelihood of the DEC validity of below 1000m <sup>2</sup> building from 10 years to annual? 10 years is too broad to show commitment to carbon reduction. | The setting of the validity to 10 years was a mistake made by someone that didn't understand the purpose of operational ratings deciding to apply the EU directive limit even though it was inappropriate. Correcting this would need a change to the Regulations. The Department are aware of the issue, but I am not sure it is a priority to action. This mistake was not repeated in the Northern Ireland Regs. |
| 20 | Would a private school with a GIA over 1000m <sup>2</sup> require a DEC or Non-Domestic EPC?   | A private school does not require a DEC, but would require an EPC if it was being sold or let, or if it was a new building.   |

# PEPA Conference 2020

## Questions & Answers



### ECO

#### Question Text

#### PEPA Response

- |    |  |   |
|----|--|---|
| 21 | Any news on a possible commercial ECO?   | No current Government plans for non-domestic energy company obligation scheme. It is a sector that needs addressing, but is more likely to be funded via other routes than ECO  |
| 22 | Why can't/could ECO flex be extended to include Housing Associations?<br>Much more supportive of a whole street/neighbourhood retrofit approach. | When Flex was first introduced there was a proposal that other organisations could be included, e.g. Citizens Advice, to generate leads. It was not implemented at the time due to concerns over the administrative burden on Ofgem, but could be something considered and lobbied for under ECO4. Current thinking is that ECO4 will be a much more "whole house" focused obligation, and street/neighbourhood driven schemes could well form a part of that   |
| 23 | What is eco flex?  | Local Authority Flexible Eligibility (Flex) is a mechanism under ECO whereby Local Authorities (LA) can refer households as eligible where they do not meet the standard ECO eligibility criteria. The criteria for those households is that they are either living in fuel poverty or living on a low income and vulnerable to the effects of living in a cold home. The LA has to publish a Statement of Intent on their website and this needs to include the specific criteria for eligibility for that Flex scheme. Suppliers can deliver up to 25% of their Obligation via LA Flex, and current delivery under ECO3 is running at about 19%<br><br>More detail can be found here: <a href="https://www.gov.uk/government/publications/energy-company-obligation-eco-help-to-heat-scheme-flexible-eligibility">https://www.gov.uk/government/publications/energy-company-obligation-eco-help-to-heat-scheme-flexible-eligibility</a> |
| 24 | What is your view of ECO innovation?<br>Is it starting to deliver new measures/ways of installing existing measures?                             | Innovation measures are now starting to come through, but very low volumes - 256 measures so far, which is 0.08% of ECO3 delivery currently. It has taken industry time to familiarise themselves with the scheme and get Innovation applications together and approved by Ofgem, but there are now 8 different innovation measures approved.   |

# PEPA Conference 2020

## Questions & Answers



### ECO

#### Question Text

#### PEPA Response

- |    |  |  |
|----|--|--|
| 25 | Will ECO4 have a whole house retrofit focus?   | The current view based on what we're hearing from Government is that ECO4 will very much be a "whole house" focused obligation rather than a measure-based obligation as it has always been in the past. PAS 2035 is seen as setting the groundwork for this, so the industry is geared up for a whole house approach.   |
| 26 | Surely ECO should be as much about the dwelling, especially as it is becoming more difficult to "find" measures?   | See above answer.  |
| 27 | There are millions of houses with solid walls that need insulation and have F or G EPCs. Many have low household incomes and must have grants to get net zero. | We do not have the data on this, but it is certainly a major issue and ECO already tries to incentivise treatment of solid walled properties, and those with F or G rating through the existing scheme, with various uplifts or sub-obligations  |
| 28 | Softer measures of cavity wall are almost impossible to achieve an E-G rating when heated by gas, are you considering a more realistic D rating ??             | Government targets, via the Clean Growth strategy, are focused on all houses being EPC band C by 2035, and all fuel-poor households being EPC band C by 2030. However, this is caveated in that strategy with the statement "where practical, cost-effective and affordable" so some form of subsidy/finance is inevitably going to need to be in place to support those targets. One mechanism could be ECO4, with perhaps funding being driven by the EPC band achieved as a result of the retrofit? |

# PEPA Conference 2020

## Questions & Answers



### EPC Changes

#### Question Text

#### PEPA Response

- |    |   |   |
|----|---|---|
| 29 | Why not combine both domestic and commercial EPCs into the same software? There are many similarities. A building is a building.                | There is a general agreement that unlike dwellings Commercial buildings are very diverse and they do not lend themselves to a SAP / RdSAP type assessment with their assumptions and defaults. That said PEPA are campaigning for more investment into the SBEM methodology and over time it would seem feasible that a more user friendly methodology could be the result.                       |
| 30 | What is the likelihood of the domestic EPC validation date being reduced from the current ten years?  | PEPA are campaigning that all EPCs should expire at three years and be replaced whenever a building is changed with the installation of a controlled service or fitting (as defined in the building regulations). In our view a ten year old EPC is misleading building owners and occupiers and by using such data Government are probably understating the quality of the building stock.       |
| 31 | Realistically, what SHOULD the validation period of the EPCs be?  | PEPA are campaigning that all EPCs should expire at three years and be replaced whenever a building is changed with the installation of a controlled service or fitting (as defined in the building regulations). In our view a ten year old EPC is misleading building owners and occupiers and by using such data Government are probably understating the quality of the building stock.       |
| 32 | Certain measures when installed, will affect EPC. Is it plausible to require a full EPC to be carried out after such measures are installed?    | Yes, PEPA are campaigning that all EPCs should expire at three years and be replaced whenever a building is changed with the installation of a controlled service or fitting (as defined in the building regulations). In our view a ten year old EPC is misleading building owners.  |
| 33 | Are there any plans to return the environment graph and info to the forefront of the EPC in light of the emphasis at present on climate change? | PEPA are of the opinion that whilst the primary EPC rating should be cost based (to support legislation such as MEES) the other two measures (primary energy and carbon emissions) should be presented prominently on the front page with a food nutrition style labelling system. This will allow building owners to focus on the definition of energy efficiency that they deem most important. |

# PEPA Conference 2020

## Questions & Answers



### EPC Changes

#### Question Text

#### PEPA Response

- |  |   |
|--|---|
| <p>34 Are EPCs going to be replaced or ceased after we've left Europe?</p>   | <p>Absolutely not. Government have stated their commitment to maintain all EU legislation related to emissions. In addition there are numerous pieces of legislation, such as the Housing Act and minimum energy efficiency legislation that is based upon the current EPC. To move to a different system and lose the 20 million assessments already completed, would be unthinkable.</p>  |
| <p>35 Is the EPC format being updated to make it more citizen friendly?</p>  | <p>Yes the new register, which is being launched on 20th July, will move to an online EPC. Whilst the current draft format is very similar to the current PDF version MHCLG agree that this will be an easier format to improve. PEPA are running a work stream to propose changes to the EPC, most of which are focussed on making the information accessible to the normal homeowners</p> |
| <p>36 Targeting new owners rather than the outgoing ones is a priority for the EPC if energy improvements are to be considered. Is this being addressed?</p>         | <p>Great question and difficult to solve. The industry is working with other professionals, such as solicitors, surveyors and lenders to ensure the information gets into the hands of the new owner. PEPA is also campaigning to link an EPC rating to things like stamp duty and council tax to raise the profile of the EPC.</p>   |
| <p>37 What constructive steps can realistically be taken to educate the rental sector in particular about EPCs?</p>  | <p>Considering it is so new, MEES is quote 'widely understood' and that is probably thanks to the other professionals in the property sector, such as agents, surveyors, solicitors and lenders. PEPA and the individual scheme members also do a lot to engage with landlords and their associations, such as ARLA and NRLA.</p>   |
| <p>38 Are there plans for advertising campaigns about EPCs? If tenants were aware the property they rent MUST have an EPC, it may reduce the number without one.</p> | <p>Agreed the new register is an ideal time to promote EPCs and PEPA will suggest this to MHCLG.</p>  |
| <p>39 Why hasn't this building (Riverside Centre) got an EPC?</p>  | <p>Presumably because it has not been placed on the market for sale or rent since the requirement was introduced. We will ask the owners.</p>   |

# PEPA Conference 2020

## Questions & Answers



### EPC Changes

#### Question Text

#### PEPA Response

- 40 If we are to decarbonise housing, what is being done to change the EPC to include how recommended measures will reduce carbon emissions?
- PEPA believe that the EPC, and the recommendations, should give equal prominence to cost, carbon and primary energy savings
- 41 Why doesn't the government produce a useful inspiring information sheet for owners to better explain the purpose and long term benefits of EPC?
- Good idea. Many accreditation schemes do provide such data sheets but PEPA will suggest that MHCLG do likewise.
- 42 Listed or conservation buildings... EPC or not?
- PEPA believe that all listed buildings should have an EPC. Nothing on an EPC is mandatory to action and when the building is listed then we could direct the reader to consult with the local conservation officer.
- 43 10 year validity not a problem if only a backstop. If EPC invalid if any energy related features changed, few would last 10 yrs. That seems a more logical sell?
- Agreed PEPA are campaigning that all EPCs should expire at three years and be replaced whenever a building is changed with the installation of a controlled service or fitting (as defined in the building regulations). In our view a ten year old EPC is misleading building owners and occupiers and by using such data Government are probably understating the quality of the building stock.

# PEPA Conference 2020

## Questions & Answers



### EPC Methodologies

#### Question Text

#### PEPA Response

- |    |   |   |
|----|---|---|
| 44 | HMO EPC: is it a commercial assessment or domestic ?  | Schemes produced a cross scheme guidance document which covers this scenario.   |
| 45 | NDEPC methodology is being reviewed, what is PEPA's view on a 'Super NDEPC' that incorporates actual energy usage for recommendations (ie by using DEC data)?   | PEPA is very supportive of this concept. We are reviewing this as part of a methodology review. The government are also looking at this concept. PEPA feels that there are several key data points to consider to produce highly useful reports for consumers and businesses - asset ratings, occupancy impacts and actual energy usage and metering.   |
| 46 | Isn't the rule of an extension having different wall and/or roof to the main property!! Not a different floor!!   | In RdSAP an extension is defined as any variation to the thermal properties or age of an area of a building - walls, roof, floor, age band of construction etc. Where a wall within a building part varies, a DEA can use the alternative wall option where the wall variation (u-value, construction) is more than 10% and less than 50% of the total area of the walls in that building part.   |
| 47 | Is it acceptable to use 'full' SAP EPC calculations on existing properties particularly on those to be upgraded thermally Eg EWI and Condensation Risk Analysis | Yes - Full SAP can be used on any property, newly constructed or existing. Appendix S of Full SAP can be applied when modelling existing areas and newly constructed or to areas to be constructed can then be accurately modelled accurately. This is precisely what happens for Part L1b compliance calculations. However, RdSAP is preferred over SAP for existing dwellings as it is an onsite methodology (effectively a focussed Appendix S tool) and doesn't require evidence that is commonly difficult to obtain for existing dwellings (thermal bridging calculations, u-values, thermal mass etc). |
| 48 | Appendix Q, can we have a webinar and further CPD on this subject, identification, treatment, etc?  | Yes, most schemes do have a CPD and/or technical bulletin on this subject. PEPA recommends that you speak with your scheme or check previous communications.  |

# PEPA Conference 2020

## Questions & Answers



### EPC Methodologies

#### Question Text

49 What is the best way to deal with the roof insulation when there is a room in the roof and no access to the joist or eaves?

#### PEPA Response

The best way is as follows:

If you have access and can measure, enter access to loft and a known thickness (i.e. 250mm)

If you have access but cannot measure, put access to loft, unknown thickness.

If access to the loft is via panels but the panels are blocked or locked, enter access to loft and unknown insulation.

If there are no access points at all, enter non access and unknown loft insulation

50 Hive and Nest type systems should be recorded and recommended. They are more viable than party wall insulation and more accessible for home owners.

The SAP Implementation Group and BRE are reviewing these heating controls for future releases of SAP and RdSAP. Current thinking is that whilst these systems are evidently more convenient and helpful, they do no more than the physical controls in place that the property - i.e. programmer, thermostat and TRVs - in terms of control of heat.

51 Electric heating and electric boilers don't rate well if they are not storage heaters. What's the best way of entry for new electric heaters with WiFi?

All direct panel type electrical heating at the property must be entered as per the SAP table options - e.g. Panel convector heaters. All electric heating is 100% efficient as they convert 1kWh of electricity to 1kWh of heat. The Wifi is a convenient method of communicating to the panel(s) and controlling the panel(s).

52 Using original build date on conversions rather than the date of conversion creates EPCs that are not MEES compliant this causes severe problems with evidence.

This is currently being reviewed at the conventions group. The issue is that conversions are not the same as a new build. The latter must meet all aspects of the building regs at the time of construction. A conversion needs to meet building regs where there is some change to the elements of the building. For example, the walls and floor are often unchanged, and therefore are not required to meet the thermal performance requirements of the regulations. If we allow these buildings to be dated as per the conversion date, we overstate/over credit the elements that haven't been upgraded.

# PEPA Conference 2020

## Questions & Answers



### EPC Methodologies

#### Question Text

#### PEPA Response

- |    |  |  |
|----|--|--|
| 53 | EPCs on conversions is proving problematic, especially with MEES. If SAP EPCs are so accurate, we should be able to use the U values stated on the SAP EPC.    | The reuse of lodged data is a hot topic - this is being discussed as u-values could be reused (but the calculation must be available for evidence). One way around this is a mandated u-value scheme, where u-values are lodged on a central register and can be audited and reused.   |
| 54 | When will RdSAP be updated to enable appropriate inputs for ASHP's (Air Source Heat Pumps)? Moving forward we can't rely on SAP and it will be vital for MEES. | Current RdSAP 9.94 has the provision to either find a known ASHP contained within the PCDF (Product Characteristics Database). Where the system isn't contained within the PDCDF, the assessor can choose from the SAP tables for a generic description. The former is more accurate as it has tested COP/efficiencies and other data points (like emitter types etc). The latter has an assumed efficiency which will most likely be incorrect. This is the same as it is in SAP, as SAP uses both PCDF and SAP table methods. However, SAP does have extra fields and overlap with other systems (mostly around mechanical ventilation) which RdSAP assumes. This can be examined and added to RdSAP 10 if/where possible. |
| 55 | Will the RdSAP methodology/calculation have to change as we are pushed to use electricity instead of gas? Or will we look something other than the SAP rating? | Yes and no. Domestic EPCs will continue to use affordability has the underlying matrix for the EPC (SAP rating). Electricity is 3-4 times more expensive than mains gas so electrical heated properties will be worse rated than gas, unless the costs reach an equal p/kWh. However, electricity is very nearly as 'green' as gas in terms of carbon emission factor and this will continue to improve. This is why it is important that the EPC continues to have several key metrics front and centre for the consumer to appreciate.   |
| 56 | The standard recommendation to replace solid floor with retrofit insulation at approx £5 to 8k cost to the client to save £200 over 5 years needs addressing?  | PEPA have written a paper on how to improve the EPC and this is one area identified. There should be a review of how Appendix T works and what the ordering and promotion of recommendations should be. This should be done via the appropriate steering group for RdSAP 10.   |

# PEPA Conference 2020

## Questions & Answers



### Legislation & Government

#### Question Text

#### PEPA Response

- |    |  |  |
|----|--|--|
| 57 | What is happening to the Renewable Heat Incentive after Spring 2021?   | The Government announced in the Budget that the domestic RHI will be extended until March 2022. The government is now consulting on the future of clean heat support: <a href="https://www.gov.uk/government/consultations/future-support-for-low-carbon-heat">https://www.gov.uk/government/consultations/future-support-for-low-carbon-heat</a> — Andrej Miller, BEIS  |
| 58 | Turn the screws more on private lands and they will sell up adding to homelessness and difficulty for the vulnerable.                                      | Protecting vulnerable households is a key priority for government. We acknowledge that there is a risk that landlords will decide to leave the private rented market if too many burdens are placed on them; and that a balance needs to be struck between the different priorities of cost, carbon savings and fuel poverty reduction. The domestic Minimum Energy Efficiency Standard Regulations cap the required landlord contribution at £3500 per domestic property, inclusive of VAT – and in many cases domestic landlords are able to improve their property to the minimum standard whilst spending significantly less. In the Clean Growth Strategy the government committed to look at a long-term trajectory to improve as many privately rented homes as possible to Energy Performance Certificate (EPC) Band C by 2030, where practical, affordable and cost-effective. We would welcome views on the best way to achieve this, and on opportunities to mitigate potential effects on the balance of supply and demand in the domestic private rented sector in due course—Andrej Miller, BEIS |
| 59 | Will this dovetail in with a switch from gas to hydrogen for conurbation so this is timescales driven as all electric is a way off due to lack of storage  | We know we have to decarbonise heating but the exact mix of technologies is unclear. There is a clear role for electric heating in off-gas areas. On grid it is likely to be a mixture of solutions—Andrej Miller, BEIS  |
| 60 | Do the panel believe the proposed ban on new gas boilers from 2025 will actually happen?   | Yes. For clarity, it is a ban on gas boilers for new build housing—Andrej Miller, BEIS   |
| 61 | Is there any appetite to replace council tax banding with each individual properties SAP banding? This would produce 100% EPCs and encourage improvements. | There are no plans for this at present—Andrej Miller, BEIS   |
| 62 | Would there be any support by the panel for Rateable value to be linked to either DEC or EPC rating?   | There are no plans for this at present—Andrej Miller, BEIS   |

# PEPA Conference 2020

## Questions & Answers



### Legislation & Government

#### Question Text

#### PEPA Response

- |    |   |  |
|----|---|--|
| 63 | Does the EPC rating (domestic) have any significant bearing on council tax?   | No—Andrej Miller, BEIS   |
| 64 | Can we get an update on "The Future of EPBD and EPCs"?  | We expect to publish a government response to the Call for Evidence on EPCs shortly, including actions we intend to take to improve EPCs. We will continue to comply with EPBD while we are in the transition period—Andrej Miller, BEIS   |
| 65 | Isn't it about time that the responsibilities of MHCLG in this area are combined with those at BEIS?  | Both Departments have a strong interest in EPCs and work closely on proposed changes/updates—Andrej Miller, BEIS   |
| 66 | Why don't the government use MEES compliance enforcement/ fines, to fund home improvement grants/spending?  | Local authorities are responsible for enforcing compliance with the minimum energy efficiency provisions within their geographical boundaries and can issue compliance and penalty notices where applicable. Each local authority can develop their own approach to the enforcement of the regulations, and they have the discretion to decide on the amount of the penalty, up to maximum limits set by the regulations. Any monies raised through civil penalties are retained by local authorities and they can decide how to use the funds recovered, enabling them to take into account the particular needs of their local area. A local authority could for example decide to use the funds to support enforcement action—Andrej Miller, BEIS |
| 67 | Andrej, how are you going to ensure that installers will not just continue to drive their single 'products' into homes, instead of a whole home approach? | PAS2035 requires a change in approach and our ambition is to make PAS2035 the norm across the industry. The right incentives should drive a change in supply chain behaviours. Incentives could come from government and lenders but also customers may no longer accept the current approach—Andrej Miller, BEIS  |

# PEPA Conference 2020

## Questions & Answers



### Legislation & Government

#### Question Text

#### PEPA Response

- 68 Andrej - is EPC Band still the right basis for setting targets? What role for the EI rating? Future Homes Standard for new-build proposes energy& carbon metrics.
- The domestic private rented sector minimum energy efficiency standard is based on the Energy Efficiency Rating (EER) in an Energy Performance Certificate (EPC). This metric is based on the energy costs for the property and provides good outcomes in terms of decarbonisation, whilst not sacrificing action on reducing energy bills and tackling fuel poverty. Where as the non-domestic private rented sector minimum energy efficiency standard is based on the Environmental Impact Rating (EIR), a carbon emissions based metric in EPCs . The EPC remains a valid methodology to assess a given building's energy performance. We are also looking to consult on introducing a operational in-use energy rating scheme to support energy efficiency in the non-domestic sector—Andrej Miller, BEIS
- 69 Are the Government going to pay, or part pay, for the training of currently qualified DEAs regarding further training for a Retrofit qualification?
- Skills are a big risk/challenge for net zero as a whole and that applies to domestic retrofit, so we are considering what role government should play. Subsidy of training is one option—Andrej Miller, BEIS
- 70 When is the response to the EPC call for evidence due?
- We expect to publish a government response to the Call for Evidence on EPCs shortly—Andrej Miller, BEIS
- 71 How can we get MHCLG to engage with the need for EPCs to work for MEES and stop treating it as irrelevant to their management of EPB?
- BEIS and MHCLG have been working closely to improve the ways that EPCs work for MEES, and further details will be included in the forthcoming response to the Call for Evidence. MHCLG do not see MEES as irrelevant, and are conscious of the need to ensure EPCs effectively support the newer policies and regulations utilising them—Andrej Miller, BEIS
- 72 There is currently no legal requirement to undertake a domestic EPC following improvement works. This is a big hole. Is/could PEPA lobby Government on this?
- The EPC Call for Evidence included a question on whether a new EPC should be required when works are carried out and this will be referenced as part of the government response to the Call for Evidence—Andrej Miller, BEIS
- 73 Does the new legislation address increasing the legal frequency of EPCs ?
- The EPC Call for Evidence included a question on whether the validity period of EPCs should be changed. This will be referenced as part of the government response to the Call for Evidence—Andrej Miller, BEIS

# PEPA Conference 2020

## Questions & Answers



### Legislation & Government

#### Question Text

#### PEPA Response

- |    |  |  |
|----|--|--|
| 74 | Are you able to tell if the 2019 growth in lodgements was for sale or rental properties ?  | It was mostly made up from rental properties and mostly related to MEES. The rental market is currently very buoyant, however there were some positives in the sale market prior to lockdown. It is too early to say how the market will respond as lockdown is eased and what might happen later in 2020.                             |
| 75 | Has there been an attempt to calculate lodgements relative to market activity rather than/as well as an absolute measure?                                | Yes—however there are several figures that relate to market activity and it is not easy to map them together.  |
| 76 | Will the forthcoming ROPA (Regulation of Property Advisors) in the House Sales & Lettings industry have an impact on Domestic Energy Assessors?          | PEPA hopes that this will raise the profile of EPCs and MEES and the net result will be even better compliance.  |
| 77 | Could non compliance of EPCs & DEC's be addressed as part of statutory H&S certification in the same way as gas & electrical safety under HSAW act 1974? | This is not something we are currently considering. However, we are investigating ways that EPC compliance could be improved—Andrej Miller, BEIS   |
| 78 | Why are EPCs and energy efficiency not advertised by Govt. It is left to sales/letting agents to promote something that they have no interest in.        | We have recently developed the Simple Energy Advice website to provide people with impartial information on energy efficiency. We expect to publicise this service more widely over the coming year. Additionally we are actively investigating the options for more proactive communications on energy efficiency—Andrej Miller, BEIS |

# PEPA Conference 2020

## Questions & Answers



### PAS2035

#### Question Text

#### PEPA Response

- |    |   |   |
|----|---|---|
| 79 | How will PAS 2030 work alongside general EPC  | PAS 2035, which is the umbrella standard that references PAS 2030, uses RdSAP energy assessment as the start point for energy calculations  |
| 80 | Will housing providers / landlords have access to the Trustmark Data Warehouse for their own properties?  | We believe that homeowners will have access to the Data Warehouse but how that is to be administered is unclear. We will ask Trustmark for their comment.   |
| 81 | How confident are you that BSI are fully taking account of the existing systems, software and processes when drafting their best practice?                | PEPA members were involved in the drafting of PAS 2035 and fought, against some significant opposition, to ensure that DEAs were included and the good work that they do be the core of PAS 2035. PEPA are also invited to be of the PAS 2038 Steering group.   |
| 82 | Have lessons of not using .. enforcing ...use of impartial assessors been learnt when considering use of public money when considering property upgrades? | PAS2035 is a framework and the enforcement is with TrustMark. PEPA believe that the roles of Retrofit Assessor and Retrofit Coordinator should be independent of the installer to ensure that the assessment is objective and the installed measures are the most appropriate for both the home and the occupant. |
| 83 | Q .for Phil Mason - how do I find PAS 2035 certified/registered installers in my area? Is there a central register?                                       | Trustmark have a register of approved Retrofit Assessors and Retrofit Coordinators as do each of the participating schemes  |
| 84 | Under PAS2035, where do Retrofit Assessors fit into the process from a payment point of view? Is it going to be panel driven as per Green Deal?           | The market will ultimately decide how the funding works but the PAS2035 model has been written with the Retrofit Coordinators at the centre. As before PEPA believe that the Retrofit Coordinator should be independent of the installer.   |

# PEPA Conference 2020

## Questions & Answers



### PAS2035

#### Question Text

#### PEPA Response

- |    |  |  |
|----|--|--|
| 85 | With the emphasis on PAS 2035 & Carbon Neutral 2050 on the entire housing stock, is there a clear line on Listed Buildings needing an EPC?                     | PEPA believes that ALL buildings should have an EPC. Nothing in an EPC is required to be actioned and where a building is listed we could sign post, and promote the authority of, the local conservation officer. |
| 86 | Who will be requiring the services of retrofit assessors?<br>Where will the business come from?  | It is envisaged that Retrofit Assessors will be contracted by Retrofit Coordinators  |
| 87 | Retrofit can range from light touch (e.g. top up loft insulation) to full deep retrofit. - is the requirement for the retrofit coordinator the same?           | PAS2035 is designed to move away from light touch improvement and towards understanding what is needed to achieve a deep retrofit maximising the improvement possible  |
| 88 | What is stopping a certified PAS2035 company doing the retrofit work to a property that is inappropriate for the work?   | PAS2030 certification bodies will be monitoring installers to ensure that they only undertake work recommended by the retrofit coordinator and approved by the client.   |
| 89 | Isn't Retrofit just GreenDeal rebranded?   | No, PAS 2035 is not a funding model it is a way to understand the best way to maximise improvement of a home, to plan and oversee its installation.  |
| 90 | Because there is no register of retrofit works, many properties that have had work done may be coming up for new EPCs with no visible evidence proof to count. | Good point. It's difficult to apply this retrospectively but the data warehouse is exactly that central repository that will allow future decisions to be made with more information that we currently hold.       |
| 91 | How is it envisaged RFA will be able to get work?  | Retrofit assessors will normally be commissioned by a retrofit Coordinator. All schemes will promote the activities of their approved Assessors and Coordinators so that they can find each other.                 |

# PEPA Conference 2020

## Questions & Answers



### PRS/MEES

#### Question Text

#### PEPA Response

- 92 Is it true that some mortgage lenders won't give a mortgage for houses with an F or G rating so this will impact sellers as well as landlords
- PEPA members know that surveyors are reporting on poor EPC ratings and this will impact the value of properties, especially those being purchased as a buy to let. Anecdotally PEPA members have heard that some lenders were not lending on F and G rated properties due to legal compliance with MEES. This even occurred in Scotland where the PRS are not yet law. Energy assessors are also reporting that lenders have rejected loan requests from owners of low performing commercial properties.
- 93 Would there be CPD for registering exemption certificate and what is exempt. Listed buildings also
- PEPA is proposing a training regime, and possibly a scheme, to accredit an energy assessor to undertake exemptions. This would be voluntary and its aim is to raise the quality of exemption applications. The scheme itself would be delivered and administered through one or more of the accreditation schemes.
- 94 Re exemptions is there a body to give us advice / training so we can assist clients?
- PEPA is proposing a training regime, and possibly a scheme, to accredit any energy assessor to undertake exemptions. This would be voluntary and its only aim is to raise the quality of exemption applications. The scheme itself would be delivered and administered through one or more of the accreditation schemes.
- 95 How many fines were imposed in the PRS pilot scheme year 1?
- PEPA members are unaware of any fines being applied. Enforcement has been pleasingly effective driven by surveyors, solicitors and mortgage lenders passively enforcing it. Unfortunately this will not be effective when enforcing sitting tenants as none of these professions are normally involved. For that we need a process for whistle blowers and commitment from local enforcement bodies to prosecute. PEPA has developed a whistle blower process which can be adapted for MEES as well as its original purpose of policing agents.
- 96 A landlord client's agent rented out her property on a D rating when tenant viewed. Between moving EPC expired & now F but not lodged till improved. Is this ok?
- This could be a loop hole. Strictly an EPC is only an EPC when it is lodged and therefore the rental was completed without a valid EPC. This is in itself not against the law, as long as there was a valid EPC at the time the property was put on the market for rent. Scotland have dealt with this well by saying that that an expired EPC can be used for enforcement when it has not been replaced by a current one. PEPA is working with MHCLG on the EPC consultation response and will build this type of suggestion into our recommendations

# PEPA Conference 2020

## Questions & Answers



### PRS/MEES

#### Question Text

#### PEPA Response

- |     |  |  |
|-----|--|--|
| 97  | We have MEES - great. What's being done to bring in minimum standards for social housing and owner occupied properties?                              | I think most agree that HHSRS (housing health and safety rating system) has been effective at raising standards in social housing and most statistics show that this is some of the most energy efficient property in the UK. The situation with owner occupied is very important as there are many people (asset rich and cash poor) who live in low energy efficiency housing. PEPA is not aware of anything occurring in England for the owner occupied sector, but Scotland have issued a consultation on just this subject and I am sure that other countries will be watching closely those how well it works. |
| 98  | When will MEES represent the sales market and not just rental market?  | The situation with owner occupied is very important as there are any people (asset rich and cash poor) who live in low energy efficiency housing. PEPA is not aware of anything occurring in England but Scotland have issued a consultation on just this subject and I am sure that other stakeholders will be watching closely those how well it works.  |
| 99  | MEES has provoked compliance and activity for EPCs. What chance of 'MEES' for DEC's?   | MEES is a benchmark based on averaging similar properties so setting a minimum standard is difficult to imagine. It might be worth considering how buildings with relatively poor performance (maybe the bottom 20%) can be highlighted and maybe legislated against. We also believe that an energy usage report, such as DEC, should be available for all buildings, commercial and residential.   |
| 100 | Sat here last year, you told the plan was to make a MEES EPC a band C by 2030, now its 2035. Is there going to be any change on that in the future?? | All plans are, unfortunately, subject to change until they become legislation. PEPA agree that if we are to achieve our climate change commitments we cannot put off the inevitable. PEPA, and the accreditation schemes, will do what we can to ensure government adhere to these long term commitments.  |
| 101 | Do lease renewals need to meet MEES compliance on Non Domestic properties, where no existing EPC exists?   | There is an anomaly here. Strictly a property that has not hit an EPC trigger point (i.e. been placed on the market for sale or rent) doesn't require an EPC; however the MEES regulations infer that in some circumstances an EPC must be supplied. PEPA are pushing that a change of tenant or a new tenancy agreement should itself be a EPC trigger point.   |

# PEPA Conference 2020

## Questions & Answers



### PRS/MEES

#### Question Text

#### PEPA Response

- 102 Can you confirm if a rented property has a long-standing tenant but never had an EPC will it have to be assessed and an E Band from April 1st ?
- Strictly in England and Wales it only needs to comply if it has an EPC. If it does not have an EPC because, for example, it has not been placed on the market for sale or rent in the last ten years, then the answer is no. However, PEPA advice to landlords has always been to get an EPC done now. You may only get a months' notice of a tenant leaving and this isn't enough time to get an EPC, get it on the market and then learn it cannot be rented until improvements are made.
- 103 If a dwelling has never had an EPC and is rented will it need to be assessed by April?
- Strictly in England and Wales it only needs to comply if it has an EPC. If it does not have an EPC because, for example, it has not been placed on the market for sale or rent in the last ten years, then the answer is no. However, PEPA advice to landlords has always been to get an EPC done now. You may only get a months' notice of a tenant leaving and this isn't enough time to get an EPC, get it on the market and then learn it cannot be rented until improvements are made.
- 104 Have there been any fines for non compliance with the MEES regulations?
- PEPA members are unaware of any fines being applied. Enforcement has been pleasingly effective driven by surveyors, solicitors and mortgage lenders passively enforcing it. Unfortunately this will not be effective when enforcing sitting tenants as none of these professions are normally involved. For that we need a process for whistle blowers and commitment from local enforcement bodies to prosecute. PEPA has developed a whistle blower process which can be adapted for MEES as well as its original purpose of policing agents.
- 105 How do you force the Landlord to improve the MEES if they refuse to make the changes Who do you report them to?
- Enforcement is the responsibility of local authority and delivered through either trading standards or environmental health officers. PEPA is considering what role it can play to assist whistle blowers whilst protecting their identity.
- 106 Approximately what is the next anticipated non domestic MEES grade above E and when?
- There is a consultation response expected from MHCLG which asks whether it should be a B or C rated EPC by 2030, inferring that it will be at least a C. No interim targets have yet been confirmed.

# PEPA Conference 2020

## Questions & Answers



### Register

#### Question Text

#### PEPA Response

- |     |  |   |
|-----|--|---|
| 107 | Is Landmark being replaced?  | The Register keeper will change from Landmark to MHCLG. This change means the EPC register will take a new look and also the manner in which EPC information is going to change. Schemes will be updating members when Government has decided on what the final EPC will look like.   |
| 108 | Will the £1.86 (?) Landmark fee be scrapped?   | The government have confirmed that the register lodgement fee will continue. PEPA are lobbying for this to be set at a sensible level to cover the costs of the register and not for profit as well as not change unnecessarily. PEPA are also lobbying for a relaxation of the fee for 3 months following taking over the running of the register to help support the industry during the COVID-19 crisis. |
| 109 | Will the lodgement cost change?  | See above answer. We don't anticipate the lodgement fees changing in the long run and possibly not annually. PEPA are seeking clarity from government.  |
| 110 | Will the Landmark site remain live after June 12th? Or a redirection?  | Users will be directed to the correct site. Depending on whether the change over happens on the date and all strands move on the same date. If both of these things happen on the 12th June, then the Landmark Register will cease.   |
| 111 | What is the most common reason the register goes offline?  | Usually this is because of planned maintenance however like any online system, there may be an issue with the site or the services.   |
| 112 | You've mentioned homes and the information in the register. How will non-domestic appear in the register?                  | The register will combine England, Wales and Northern Ireland - and will also incorporate both domestic and non-domestic into one register. The Certificate type will be visible to determine the type of assessment carried out.   |
| 113 | Can the general public and agents have access to the address search facility? Currently only authorised users have access. | PEPA are not sure of how the register permissions will be driven, and whether that means access to certain features will be restricted.   |
| 114 | When is the new EPC register likely to be released?  | The Register is due to go live on the 12th of June this year.   |

# PEPA Conference 2020

## Questions & Answers



### Register

#### Question Text

#### PEPA Response

- |     |   |   |
|-----|---|---|
| 115 | How will the new register be marketed to citizens? Awareness is key.  | We hope to raise awareness around the new register and it residing on the gov.uk platform will make it part of a wider, recognisable government platform. We appreciate that the EPC process should be more than a box ticking exercise and are confident that our user-focussed approach will lead to greater appreciation of the data that assessors collect and how it can be used to improve our buildings—Dean Wanless MHCLG |
| 116 | For Dean Wanless - will social housing providers also get access to the non consumer facing 'face' of the register. Very valuable | Unfortunately not, we are not developing the back-end functionality as part of the MHCLG service—Dean Wanless MHCLG.  |
| 117 | Will there still be commercial and domestic separate register?  | The register will combine England, Wales and Northern Ireland - and will also incorporate both domestic and non-domestic into one register. The Certificate type will be visible to determine the type of assessment carried out.   |
| 118 | Do you have any example of what the new register pages will look like?  | PEPA are not in a position to share this information, however all schemes will be communicating to their members as soon as is possible.  |
| 119 | Any “tie in” to the Trustmark PAS2035 warehouse?  | Not at present, however PEPA would support any developments that could be made in this regard and PEPA is aware of conversations between EPC register and Trustmark Data warehouse, as the data in both could be beneficial for long term strategy and objectives of carbon/energy reduction policies.  |
| 120 | Will the exemption register be linked to this and will tenants see this info?   | PEPA are not aware of any current link between the EPC register and future register and the BEIS developed exemptions register. However, the government are supportive of portability of data to facilitate cross departmental policy and to enact change. PEPA will look into this idea.   |
| 121 | Will Scotland be on the same .gov website?  | No - The EPC register for Scotland is run by the Energy Saving Trust. There are no plans for this change.   |
| 122 | Will the general lodgement fees increase?   | As far as we are aware there are no plans for lodgement fees to increase.   |

# PEPA Conference 2020

## Questions & Answers



### Register

#### Question Text

#### PEPA Response

- |     |   |   |
|-----|---|---|
| 123 | Currently non domestic assessors can update addresses will this continue?   | Assessors will be able to check the EPC register for available addresses. If the required address does not feature, assessors will be able to lodge an EPC on the address they require and it will 'add' this new address to the register database  |
| 124 | Will we be able to see previous registered EPCs?  | Yes, we anticipate that a history of prior EPC's lodged should be visible.  |
| 125 | Will register have an interactive calculator similar to the EPC Advisor Tool so a user can test the impact of for example doing the 2nd and 4th recommendation? | The government are looking at this as part of the customer journey aspect of running the register. PEPA considers this vital for promoting the EPC and consumer action on how to improve their buildings. PEPA will support government in their ambition to improve the use of the EPC and register in this area.   |
| 126 | The non-domestic addresses are a mess with lots of duplicates. Is this being dealt with?  | As part of the development work of the register, an exercise to clean up and merge duplicate addresses has been undertaken. Hopefully this will be an ongoing piece of work.  |
| 127 | What will happen to the historic data on Landmark?  | Historic data from Landmark will be present in the new EPC register.  |
| 128 | Any tie in with land registry?  | Not at this moment in time, but PEPA would support any developments that could be made in this regard.  |
| 129 | Could the new register be linked to letting and estate agents prompting an EPC when selling or renting?   | PEPA would support any developments that could be made in this regard.  |
| 130 | Why not use the VOA rating website for addresses? It is sometimes different from Landmark/ Royal Mail   | This is a good suggestion as VOA is used for council tax. However it would only cover domestic buildings and wouldn't be suitable for commercial and public buildings etc. Also, the VOA does not have suitable services to call for address look up and addition, in the same way as the current register, which are vital for EPC creation and lodgement. |
| 131 | Will the address helpline still be there?   | Assessors will be able to check the EPC register for available addresses. If the required address does not feature, assessors will be able to lodge an EPC on the address they require and it will 'add' this new address to the register database.   |

# PEPA Conference 2020

## Questions & Answers



### Register

#### Question Text

#### PEPA Response

- |     |   |  |
|-----|---|--|
| 132 | Will the non consumer portal give access to the detailed data which lies behind the EPC?              | The government explored this in the Call for Evidence, specifically allowing a viewer to see all the data that was entered as part of the assessment. PEPA are supportive of this as a way of improving quality and accountability.  |
| 133 | Will we be able to search for certificates by assessor name?  | This will not be possible.   |
| 134 | Will the accuracy of the recommendations be improved/ updated when the new register comes into force? | No, however this was explored in the EPC Call for Evidence (CfE). PEPA have written a paper on how to improve the EPC and this is one area identified. Linking cost of recommendation based on calculated areas, updating recommendation costs more regularly and allowing a viewer to see the impact of better performing recommendation have been recommended in the review. |