

Montpelier Energy Disclosure Ordinance Meeting

Montpelier City Hall

9/25/19

1. Anne opened the meeting
2. Attendees
 - a. Mayor Anne Watson
 - b. Richard Faesy
 - c. Diana Chace
 - d. Kate Stephenson
 - e. Lisa Maxwell
 - f. Lauren Hierl
 - g. Sam Caputo, NEEP
 - h. On Phone
 - i. Ed Carley, NASEO
 - ii. Maddie Koehler, NASEO
3. Agenda reviewed and approved
4. Public Comments
 - a. Lisa asked about muni buildings and streetlights
 - b. MEAC can discuss at a later meeting
5. Review Public Meeting notes and outcomes
 - a. Kate moved to accept the notes, Lauren seconded, approved
6. Martha Lange Meeting
 - a. As follow-up to the Public Meeting, Richard had met with Realtor Martha Lange
 - b. She has carved out space in her schedule to focus on building energy labeling and will represent the Realtors on the statewide Building Energy Labeling Working Group
 - c. She is concerned about Realtor liability and lack of expertise in helping sellers complete the “Automated Energy Model” and suggests another modeling tool approach that removes the Realtor from gathering the information while allowing for past energy bills
 - i. Richard reported on the Clearly Energy “Energy Estimator” tool developments that are being designed to address some of these concerns
 - d. Portland, OR Realtor Experience Sharing
 - i. Martha also expressed interest in talking to Realtors from other cities that have energy disclosures in place, including Portland, OR
 - ii. The Working Group would also like more information from Earth Advantage and others in Portland
 1. Consider talking to Minneapolis and other cities to understand their process, as well
 2. Need to develop a set of questions before reaching out
 3. Why bring in Portland, OR if our approach is going to be different?
 - iii. Kate shared some reports from Portland
 1. Compare draft labels, carbon vs. Profile
 - iv. Question: can the Working Group re-consider the Profile design?
 1. EVT is working on the marketing and re-design of the Profile

- 2. The Act 56 Energy Building Labeling Working Group will be working on this, as well
 - v. Set up info sharing with Minneapolis and Portland at our next meeting
 - vi. Read the NEEP policies summary for homework and where we are, align, and are different
- 7. Diana's goals
 - a. Diana suggest five possible goals for this effort:
 - i. Raise awareness among new home buyers about ways in which there's room for improvement regarding efficiency. When people have just bought a house is a time when they're more inclined to make improvements. (Though if this was the goal, it could be accomplished at time of sale rather than time of listing.)
 - 1. Working Group reaction:
 - a. Missing consumer protection component
 - b. Need to provide information for financing in mortgage
 - c. If this is the goal, then we should require audits
 - d. Montpelier needs the data and buyers need the data
 - ii. Reward home sellers who have made efficiency improvements by increasing the sale price of the home. (If this is the goal, then the role of the banks and appraisers becomes key.)
 - iii. Incentivize home owners to make improvements in order to increase the sale price. (This would presumably be a delayed effect and would happen after home prices started to reflect energy costs.)
 - 1. Working Group reaction:
 - a. This would be a great side-effect
 - b. The market needs to recognize this
 - iv. Get people thinking and talking about the importance of efficiency and the financial return on efficiency (if done right!), including through reduced energy cost.
 - v. Generate some information about the efficiency of homes in Montpelier, which will help us plan future steps towards being net-zero.
 - b. Highest goals
 - i. To drive energy efficiency in existing homes
 - ii. Drive demand to other programs to encourage energy upgrade action
 - c. Florida has PACE offerings that transfer with the sale
 - i. Diana has researched California PACE and found that improvements didn't save money
 - d. Priorities
 - i. i. and v. rise to the top and others are secondary
 - ii. Montpelier is encouraging everyone to do this, but the time of listing is secondary
 - iii. Energy Estimator can be offered to everyone at any time
 - iv. If there is a cost associated with the EE, then Montpelier could pay
 - v. What are other efforts we can do to move faster?
- 8. Privacy Issues

- a. HELIX is not made public until posted on the MLS
 - b. Information at the time of listing needs to be made available with the seller's permission
 - c. Need to figure out privacy criteria
 - i. Encouraging voluntary, but requiring at time of listing
 - ii. Required to be public at MLS, but can choose not to include all other private information
 - iii. Automated baseline based on public tax assessment database, plus certifications and normalized utility bills
 - iv. City would have access to all the data, and can choose to make it private
9. Ordinance criteria review
- a. Develop a matrix of criteria against policy and tool choices
 - i. Evaluating alternative approaches
 - 1. Does this language accomplish these things?
 - ii. Options:
 - 1. Energy Estimator
 - 2. UK system
 - 3. Portland
 - 4. Minneapolis, etc.
 - 5. SPIR form
 - b. Two documents need to be developed:
 - i. Ordinance language
 - 1. Privacy issues
 - 2. References and implementation document
 - ii. Implementation document
 - 1. What the home seller needs to do
 - 2. City staff responsibilities
 - 3. Enforcement
 - c. Criteria review
 - i. Legal – Both docs
 - ii. Partnership – Part of the process and not included in ordinance or implementation
 - iii. Easy to understand – Both docs
 - iv. Flexibility over time – Make sure ordinance references the implementation
 - v. Universal listing – ordinance
 - vi. Covers all buildings – ordinance covers all buildings
 - 1. Start with residential, but phase into commercial in 2025
 - vii. Exemptions – ordinance
 - viii. MLS – Implementation
 - ix. Staffing and enforcement – implementation
 - x. Add criteria about staff time – implementation
 - 1. Shouldn't over-burden staff time
 - xi. Education and training – process not criteria and TA offering
 - xii. Resources – Change to "sufficient supporting resources" – implementation

- xiii. Pilot – timeline not criteria, but could be phased in over time could be put into ordinance
 - xiv. Enforcement – ordinance and also implementation document (with fees)
 - 1. Who is responsible?
 - xv. Profile – Implementation
 - xvi. Add Privacy – Ordinance
 - xvii. Plan for non-computer-savvy
 - xviii. Improvements to home
 - xix. Next Steps
 - 1. Look at language from other cities for the ordinance draft
 - a. Static document
 - b. NEEP document has links
 - 2. Implementation Policy
 - a. Sections that address each of these criteria that are referenced by ordinance
 - d. Review working draft at the next meeting
 - i. Richard and Sam develop
- 10. Explore AEM and other estimation options
 - a. Ordinance should reference optional Energy Estimator “EE” features that then becomes public
 - b. Kate and a small group are testing out Montpelier homes
 - c. HELIX tool
 - i. State of Vermont has paid for HELIX, so the tool will be made available with or without the EE tool
- 11. Stakeholder/public engagement
 - a. Groups we want to check with
 - i. Home Builders and Remodelers Association (HBRA)
 - ii. Realtors
 - iii. Lenders
 - 1. Privacy issues
- 12. Ordinance development
 - a. This needs to be based on the criteria matrix discussed above
- 13. Next steps
 - a. Bring in some other cities to inform the Working Group
 - i. Set up info sharing with Minneapolis and Portland at our next meeting
 - ii. We would need to come up with questions ahead of time
 - 1. How much are taking from what others have done vs. starting from scratch?
 - 2. Consider bringing in Ian Finlayson (Mass. Dept. of Energy Resources) to share information on his European labeling research
 - iii. Ask others about lessons learned
 - 1. Could run by other cities
 - a. Portland, Austin, Minneapolis

- iv. Think about what cities should we ask for perspective and develop questions before reaching out
- b. Focus on the ordinance and policy document in another meeting
- c. HBRA outreach down the road
- d. 3:30 on 10/24
 - i. RF send out appointment