

How to improve and more effectively achieve the objectives of the Directive on the Energy Performance of Buildings

The European Commission intends to present a revision of Directive 2010/31/EU of the European Parliament and the Council of 19 May 2010 on the energy performance of buildings (EPBD).

The Swedish Association of Public Housing Companies (SABO), an industry and interest organisation for Sweden's public housing companies, shares the view of the Commission that there is a need to improve the energy performance of buildings in the Union. We propose the following to further improve achievement of the Directive's objectives: a new article relating to the verification of the energy performance of new buildings; and supplements to the articles concerning 'Definitions', 'Energy performance certificates' and 'Independent experts'.

Summary of SABO's proposals

- A new article be introduced with a requirement for verification of the energy performance of buildings to ensure that new buildings actually achieve the energy performance prescribed by the law. Details for how the verification is to be formulated by each Member State. A definition of the term 'verification of a building's energy performance' be introduced in Article 2.
- The definition of a 'nearly zero-energy building' contained in Article 2 be supplemented to ensure that the article's application supports the purposes of the Energy Union.
- Article 11 concerning energy performance certificates be supplemented to clarify that site visits are not mandatory.
- Article 17 concerning independent experts be supplemented so that owners of buildings should be able to certify energy experts to implement energy performance certificates.

SABO's proposed concrete wording of the new article and supplements to three existing articles are attached to this position paper.

A new article be introduced to ensure that energy performance is being satisfied in new buildings

SABO considers that it is necessary to impose a requirement for the verification of the energy performance of new buildings to ensure that the buildings achieve the energy performance prescribed by the legislation of each Member State. 'Verification' means that the actual energy performance measured for the completed building corresponds to the theoretical energy performance calculated. The proposal is implemented through a new article. The term 'verify the energy performance of a building' be defined as a supplement to Article 2.

The Swedish National Board of Housing, Building and Planning (*Boverket*) has concluded in several reports¹ that the measured, and thereby actual, energy performance of a building often deviates from the theoretical energy performance of the building calculated in advance. The real energy performance is often worse than that calculated and could also be worse than the energy performance prescribed by

¹ Among others, in *Skärpta energihushållningskrav – redovisning av regeringens uppdrag att se över och skärpa energireglerna i Boverkets byggregler* [More stringent energy management requirements – presentation of the governmental commission to review and tighten up the energy rules in the National Board of Housing Building and Planning's building regulations], Report 2014:19.

the legislation. The same also applies throughout the EU². Requirements for energy performance and nearly zero-energy buildings are ineffective without a requirement for verification. There is thus the risk of an increase in not only consumers' energy costs, but also in the need to import energy into the EU and of carbon dioxide emissions.

Determine that nearly zero-energy buildings should have a very low power requirement and low primary energy use

SABO considers that the definition of a nearly zero-energy building contained in definitions point 2 of Article 2 should be supplemented by determining that nearly zero-energy buildings are to have a very low power requirement and lower primary energy use. This supplementation will ensure that the application of the article is in line with the purpose of the Energy Union. The Directive needs to steer towards buildings having a low power requirement, which means in practice minimising energy losses through the building envelope. An energy system is under most strain during peak load times and generates increased carbon dioxide emissions and increased costs for consumers. A low power requirement results in reduced energy costs for consumers and reduced carbon dioxide emissions. The Directive also needs to steer towards reduced primary energy use to ensure that the application of the article contributes to the lowest possible use of resources.

Clarify that site visits are not mandatory for energy performance certificates

SABO considers that Article 11 concerning energy performance certificates should clarify that site visits are not mandatory for every building. The Swedish National Audit Office³ considers that it is doubtful that energy performance certificates in Sweden have been cost effective. A simple way to improve cost-effectiveness is to avoid time-consuming and costly visits to all buildings in areas where the buildings are similar and for buildings with high energy performance.

Owners of buildings should be able to certify their own energy experts

SABO considers that Article 17 concerning independent experts should be supplemented so that owners of buildings, such as for example housing companies, should be able to certify their own energy experts to implement energy performance certificates. Being able to implement energy performance certificates using the building owner's own certified energy expert would result in enhanced knowledge of energy efficiency improvements within the organisation and also that knowledge concerning proposals for improvements would be retained within the organisation when energy efficiency improvements are implemented.

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The Swedish Association of Public Housing Companies (SABO) is an industry and interest organisation for 300 municipal housing companies. Member companies jointly own and manage 800,000 dwellings. The companies are important actors on the Swedish housing market, both locally and nationally.

² The Power House Nearly Zero Challenge Final Report

http://www.powerhouseeurope.eu/index.php?eID=tx_nawsecuredl&u=0&file=fileadmin/users/phe/PH_NZC_Project_Partner_s_Zone/WP1_Coordination_and_Management/POWER_HOUSE_nZEC_Final_Publishable_Report.pdf&t=1454604262&hash=81cfd9bc3309dc57280c54f19ce34984f

³ *Energideklarationer – få råd för pengarna* [Energy-performance certificates – poor value for money], Swedish National Audit Office 2009:06



Appendix: Concrete proposal for new article and supplements to Articles 2, 11 and 17

Underlining = new text compared to Directive 2010/31/EU of the European Parliament and the Council of 19 May 2010 on the energy performance of buildings.

New article

1. The Member States shall determine a method to verify the energy performance of a new building by no later than 31 December 2018.
2. The Member States shall verify energy performance in new buildings using the method referred to in paragraph 1.

Supplement to Article 2, new definitions point

X. verify the energy performance of a new building:

means check correspondence between the actual energy performance measured for a new building and the theoretical energy performance calculated with a view to ascertaining whether the building really achieves the theoretical energy performance calculated;

Supplement to Article 2, definitions point 2

2. nearly zero-energy building: means a building that has a very high energy performance and a very low power requirement, as determined in accordance with Annex I. The nearly zero or very low amount of energy required should be covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby, and reduce primary energy use;

Supplement to Article 11, new paragraph in between 7 and 8

The main rule is that a site visit shall be implemented when issuing a certificate for buildings.

However, an exemption from the main rule may be made for stock where buildings are constructed in the same way and for buildings with very high energy performance.

Supplement to Article 17

Member States shall ensure that the energy performance certification of buildings and the inspection of heating systems and air-conditioning systems are carried out in an independent manner by qualified and/or accredited experts, whether operating in a self-employed capacity or employed by public bodies or private enterprises or by owners of buildings that are to be certified.