

SUPPORT HB2227: Improve Energy Efficiency for New Home Construction | Del Kaye Kory

The energy efficiency standards for residential construction in Virginia's building code lag many years behind nationally recognized standards. Delegate Kaye Kory has submitted HB 2227 to amend Virginia law to bring the building code at least up to national standards. Adoption will save both buyers and tenants money on energy bills, reduce demand for energy generation and associated carbon emissions, minimize the impacts of climate change in the Commonwealth, and reduce the future need for utilities and GA to subsidize retrofits of inefficient buildings.

Specifics: The bill would require adoption of energy efficiency provisions at least as strong as the latest International Energy Efficiency Code (IECC) for new residential construction within one year of promulgation by the International Code Council (ICC) and enforcement six months later. The IECC is the national standard recognized by Virginia and updated every three years.¹

Enactment will Lower Utility Bills

- Energy efficient construction reduces energy utility bills. If Virginia had fully adopted the 2012 IECC, new homeowners would (1) save \$5,836 in utility costs over 30 years and (2) achieve net savings from the first month of occupancy even after accounting for an increase in mortgage costs. [U.S. DOE Report](#)
- Low-income residents and communities of color experience disproportionately high energy costs from poor energy efficiency - increasing the likelihood of rent or mortgage defaults and termination of utility service.
- Energy efficiency retrofits cost far more than installing efficiency measures during construction.
- The Virginia Clean Economy Act (VCEA) and the Regional Greenhouse Gas Initiative (RGGI) require the Commonwealth and its utilities to spend over \$1 billion by 2028 to improve energy efficiency, even as the building code allows builders to construct housing that fails to meet nationally recognized efficiency standards.

Enactment will Reduce Energy Demand, Emissions, and Address Climate Change

- Buildings consume 70% of electricity and 40% of overall energy used nationally. Air pollution from energy production harms health & contributes to climate change with its devastating economic impacts. Energy efficient buildings will reduce emissions, improve public health & help meet the climate goals of the VCEA and RGGI.

Existing Code and the Board of Housing and Community Development

- The VA Code (Section 36.99) requires the Board of Housing & Community Development (BHCD) to enact building code provisions "to protect the health, safety, and welfare of the residents of the Commonwealth, provided that buildings and structures should be permitted to be constructed, rehabilitated and maintained at the least possible cost consistent with recognized standards of health, safety, energy conservation and water conservation."
- While the BHCD has long recognized the IECC as its source of standards, it has carved out significant exceptions to benefit home builders, not residents. The Virginia code for wall insulation & air leakage is still below the 2012 IECC and will remain so until at least 2024 unless the BHCD is compelled to protect residents consistent with the IECC.
- Builders argue that energy efficiency adds costs to home construction, ignoring overwhelming evidence that these costs are quickly offset by many years of lower energy costs and pollution to residents and society at large.
- The BHCD makes changes to the building codes every three years and in December 2020, finished its "2018" updates. Organizations that supported updating the Code to meet IECC standards participated in the 2020 process, providing extensive written comments & testifying at BHCD work group meetings and the final BHCD hearing. However, since representatives of Virginia homebuilders disagreed at the work group level, the issue was deemed "non-consensus" and rejected by the BHCD.

Legislation is needed now to assure timely adoption and implementation of nationally recognized energy efficiency standards for residential construction. Failing to act would (1) undermine the public's welfare and the Governor's and Legislature's policies to reduce carbon emissions and (2) continue to burden residents, including low-income families, with high energy costs.

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Supporting organizations include: Virginia Sierra Club, [Faith Alliance for Climate Solutions](#), [the Virginia Grassroots Coalition](#), [Climate Action Alliance of the Valley](#).

¹The ICC promulgates standards that are recognized by Virginia as "standard(s) of health, safety, energy conservation and water conservation."

ⁱⁱThe BHCD has largely ceded its authority to work groups which require unanimous decisions before recommending them to the BHCD. This "practice" will make it virtually impossible to overcome builder opposition during the 2023 iteration.