

More Cities, States Require Mandatory Benchmarking

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By [Pam Hunter](#)

As legislators and regulators continue to focus on the energy-related performance of structures in the nation's capitol and elsewhere, states and cities are looking at benchmarking laws to improve the efficiency of buildings.



Measuring Hines improved the efficiency rating of a Washington, D.C., property using EPA's Energy Star Portfolio Manager tool.

Most recently, a new law went into effect in Washington, D.C., on Jan. 1 requiring owners to begin measuring the energy use of new and existing commercial buildings using the U.S. Environmental Protection Agency's Energy Star Portfolio Manager tool. New York City approved a similar measure on Dec. 9, and California and Washington state also have adopted benchmarking laws recently.

The D.C. law, approved and signed in 2008, is the first in the nation to require public disclosure of energy ratings. Beginning on Jan. 1, 2012, building owners must list energy ratings in a public database. California building owners are required to disclose their ratings only during real estate transactions.

public database "creates a repository of information" that otherwise would be lost, he says. San Francisco and Seattle are considering adding public disclosure to their benchmarking laws, he says.

Public disclosure is an important component of the D.C. law, says Andrew Burr, program manager for the Institute for Market Transformation, a Washington, D.C.-based nonprofit focused on energy efficiency in buildings. A

"You want to start measuring energy use now so you have time to improve your ratings before you have to disclose them publicly," says Jack Beuttell, global sustainability manager for Hines, a commercial real estate firm with 10 D.C. buildings that are measured using Energy Star Portfolio Manager. Beuttell says that benchmarking can be an effective tool. "It doesn't necessarily take a big investment in new technology or equipment to increase building efficiency. A lot of value in real estate can be unlocked with low- and no-cost building-operations improvements."

But Karen Penafiela, vice president of advocacy for the Building Owners and Managers Association International, says although BOMA has long supported benchmarking, it does not support mandated benchmarking.

"Our biggest problem with mandated benchmarking is that it is not always an easy thing to do for all buildings," Penafiela says. For building owners that manage utilities for an entire building, gathering the relevant energy data is not difficult. On the other hand, some building owners do not have access to tenants' utility bills, and privacy issues come into play, she says.