

# Comparison of U.S. Building Audit, Tune-Ups, and Retrocommissioning Policies

January 2021



Jurisdiction	Policy Details		Buildings Included	Requirements			Performance Exemptions	Policy Schedule		
City/State	Policy Name	Year Enacted	Types of Real Estate and Sizes (Sq. Ft.)	Energy Audit (ASHRAE Level I, II, III)	Water Audit	Tune-Up	Retrocommissioning	Description	Upcoming Compliance Date(s) + Applicable Bldgs	Length of Compliance Cycle (Years)
Atlanta GA	Commercial Building Energy Efficiency Ordinance (CBEEO)	2015	Comm ≥ 50,000 sq. ft. Public ≥ 25,000 sq. ft.	Audit must be comparable to an ASHRAE Level II audit.	Required	-	Currently optional	Property received ENERGY STAR certification for at least two of the three years prior to the report due date. The property's ENERGY STAR score or weather-normalized site EUI has improved by 15% or more within five years of the report due date. Bldg achieved LEED Existing Buildings: O&M for at least two of the three years prior to the due date.	Dec 31, 2020: Bldg IDs ending in "0" Dec 31, 2021: Bldg IDs ending in "1" Dec 31, 2022: Bldg IDs ending in "2" Dec 31, 2023: Bldg IDs ending in "3" Dec 31, 2024: Bldg IDs ending in "4" Dec 31, 2025: Bldg IDs ending in "5" Dec 31, 2026: Bldg IDs ending in "6" Dec 31, 2027: Bldg IDs ending in "7" Dec 31, 2028: Bldg IDs ending in "8" Dec 31, 2029: Bldg IDs ending in "9"	10
Austin TX	The Energy Conservation Audit and Disclosure (ECAD) Ordinance	2008	MF ≥ 5 units, bldgs 10 years or older Homes 1-4 units, 10 years or older	After conducting an audit, multifamily owners whose energy use exceeds 150% of the average must implement improvements to reduce energy use by 20%.	-	-	-	Bldg is less than 10 years of age. Bldg participated in Austin Electric Utility program or Austin Energy Free Weatherization Program within 10 years of the sale and performed appropriate efficiency measures, or the purchaser has agreed to do so within six months after the time of sale.	Time of Sale	10
Berkeley CA	Building Energy Saving Ordinance (BESO)	2018	Comm, MF, & Public ≥ 25,000 sq. ft. All Residential bldgs with 1-4 attached units	Required	Required	-	-	High-performance bldgs under 25,000 sq. ft.	July 1, 2021: bldgs 5,000 to 14,999 sq. ft. OR at time of sale (whichever occurs first) July 1, 2022: bldgs 850 to 4,999 sq. ft. OR at time of sale (whichever occurs first) July 1, 2023: bldgs 50,000 sq. ft. and larger July 1, 2024: bldgs 25,000 to 49,999 sq. ft. July 1, 2030: bldgs 15,000 to 24,999 sq. ft. OR at time of sale (whichever occurs first) Time of sale: Houses with 1-4 dwelling units	5 years for bldgs 25,000 sq. ft. and larger 10 years for bldgs 850 sq. ft. and larger Time of sale for houses with 1-4 dwelling units

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<b>Boston MA</b>	Building Energy Reporting and Disclosure Ordinance (BERDO)	2013	Comm ≥ 35,000 MF ≥ 35,000/35 units All Public/Gov't	Audit OR performance actions required. Actions are significant investment in efficiency, comprehensive energy management plan, or retrocommissioning of energy systems. Bldgs over 50,000 sq. ft. have more stringent requirements.	-	-	Owners can comply by retrocommissioning instead of an audit.	ENERGY STAR score of 75 or above LEED certification Pattern of significant improvement in energy efficiency or greenhouse gas emissions Comprehensive energy management plan	May 15, 2021: Non-residential bldgs 35,000 to 50,000 sq. ft. May 15, 2022: Residential bldgs ≥ 35 units or 35,000 sq. ft. May 15, 2024: Non-residential bldgs ≥ 50,000 sq. ft. May 15, 2025: Residential bldgs ≥ 50 units or 50,000 sq. ft.	5
<b>Boulder CO</b>	Boulder Building Performance Ordinance No. 8071	2015	Comm & MF ≥ 20,000 if built on or before 2014 Public/Gov't ≥ 5,000	ASHRAE Level I for bldgs < 50,000 sq. ft. ASHRAE Level II for bldgs ≥ 50,000 sq. ft.	-	Option for bldgs < 50,000 sq. ft. to participate in Xcel Energy Building Tune-Up Program or meet the RCx scope outlined by the City Manager.	Owners must implement measures with paybacks of two years or less.	ENERGY STAR-certified buildings LEED: O&M certification Demonstrated pattern of significant and consistent efficiency or emissions improvements Equivalent assessment conducted within 10 years and implemented the recommended energy conservation measures Any bldg in a large industrial campus	June 1, 2021: Buildings ≥ 50,000 sq. ft. + bldgs ≥ 10,000 sq. ft. for which the initial permit was issued on or after January 31, 2014 June 1, 2023: bldgs 30,000 to 49,999 sq. ft. June 1, 2025: bldgs 20,000 to 29,999 sq. ft.	10
<b>Edina MN</b>	Efficient Building Benchmarking Ordinance	2019	Comm & MF ≥ 25,000 Public/Gov't ≥ 25,000	Required`	-	-	-	-	June 1, 2022: bldgs ≥ 100,000 sq. ft. June 1, 2023: bldgs 50,000 to 99,999 sq. ft. June 1, 2024: bldgs 25,000 to 49,999 sq. ft.	5
<b>Los Angeles CA</b>	Existing Buildings Energy and Water Efficiency (EBEWE) Program (Ordinance No. 184674)	2017	Comm & MF ≥ 20,000 Public/Gov't ≥ 15,000	ASHRAE Level II	Required	-	Required	Residential hotels, broadcast antennas, vehicle charging stations, utility pumping stations, treatment facilities, sound stages, structures primarily used for the production and post-production of motion pictures and television and similar use. ENERGY STAR certification for the year of the building's compliance due date, or for two of the three years preceding the due date CA-licensed engineer or architect certifies that the energy performance is at least 25% better than the median energy performance of similar buildings, compared to CBECS CA-licensed engineer or architect certifies that the building has reduced its weather normalized source EUI by 15% compared to five years prior The bldg is new and has been occupied for less than five years from its first due date	June 1, 2021: Bldg IDs ending in "0" Dec 1, 2021: Bldg IDs ending in "1" June 1, 2022: Bldg IDs ending in "2" Dec 1, 2022: Bldg IDs ending in "3" June 1, 2023: Bldg IDs ending in "4" Dec 1, 2023: Bldg IDs ending in "5" June 1, 2024: Bldg IDs ending in "6" Dec 1, 2024: Bldg IDs ending in "7" June 1, 2025: Bldg IDs ending in "8" Dec 1, 2025: Bldg IDs ending in "9"	5

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New York City NY	Local Law 87: Energy Audits and Retro-commissioning	2009	Comm & MF ≥ 50,000 Public/Gov't ≥ 50,000	ASHRAE Level II	-	-	Required	Exceptions to audit: ENERGY STAR label for at least two or three of the years preceding report filing No ENERGY STAR available and a registered design professional verifies that the bldg's energy performance is 25 points better than the average for its bldg type over a two-year period within three years prior to the report due date, per LEED for existing bldgs or a similar system Simple bldgs with six out of seven energy efficient features certified by a professional Exceptions to audit and retrocommissioning: LEED for existing bldg certification	Dec. 31, 2020: Tax block number ending in "0" Dec. 31, 2021: Tax block number ending in "1" Dec. 31, 2022: Tax block number ending in "2" Dec. 31, 2023: Tax block number ending in "3" Dec. 31, 2024: Tax block number ending in "4" Dec. 31, 2025: Tax block number ending in "5" Dec. 31, 2026: Tax block number ending in "6" Dec. 31, 2027: Tax block number ending in "7" Dec. 31, 2028: Tax block number ending in "8" Dec. 31, 2029: Tax block number ending in "9"	10  Early compliance is allowed, but only within four years prior to the compliance date
Orlando FL	Building Energy & Water Efficiency Strategy	2016	Comm & MF ≥ 50,000 and ENERGY STAR Score below 50 Public/Gov't ≥ 10,000 and ENERGY STAR Score below 50	Either energy audit or retrocommissioning	-	-	Either energy audit or retrocommissioning	Energy audit or retrocommissioning every five years for bldgs with ENERGY STAR scores below 50.	Bldg owners will next be notified that they must complete an audit or RCx on Dec 1, 2025. Applicable bldgs: eligible city property > 10,000 sq. ft.; Eligible non-city property > 50,000 sq. ft.	5
Philadelphia PA	Building Energy Performance Policy	2020	Comm ≥ 50,000 Public/Gov't ≥ 50,000	-	-	Extensions and alternate compliance plans for high-performance (in place of tune-ups) may be accepted.	-	An owner may only apply for an exemption if they have been compliant with the City's benchmarking policy for the two consecutive years preceding its tune-up compliance date. ENERGY STAR Certification LEED Gold or Platinum for O&M, or Net-Zero Energy Certification from ILFI, utility retrocommissioning certification from PECO, RCx on 75% of building's square footage, ENERGY STAR certification for three years showing 15% weather-normalized EUI, CPACE certification, energy audit with extensive documentation and plans for EE, other scenarios which may be considered by the Office of Sustainability (low EUI, etc.)	TBD, Non-residential bldgs over 50,000 sq. ft.	5

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Reno NV	Energy and Water Efficiency Program, under ReEnergize Reno	2019	Comm & MF ≥30,000 and does not meet performance target  Public/Gov't ≥ 10,000 and does not meet performance target	Retuning or an energy and water audit are pathways to fulfill performance targets of the law.	Retuning or an energy and water audit are pathways to fulfill performance targets of the law.	Retuning or an energy and water audit are pathways to fulfill performance targets of the law.	-	For energy and water audit: LEED Existing bldgs (2009 or later) LEED O&M for existing bldg (Version 4 or 4.1) Comparable rating system for existing bldgs	2026: City bldgs 2028: Agency-owned/private-owned bldgs ≥ 100,000 sq. ft. 2029: Agency-owned/private-owned bldgs ≥ 50,000 sq. ft. 2032: Agency-owned/private-owned bldgs ≥ 30,000 sq. ft.	7
Salt Lake City UT	Commercial Building Benchmarking and Market Transparency	2017	Comm and City-owned ≥ 25,000 sq. ft., eligible for a utility-sponsored tune-up program, and have an ENERGY STAR score of 49 or below	-	-	Required tune-up evaluations for bldgs that are eligible for participation in a utility-sponsored tune-up incentive program, and that have an ENERGY STAR score of 49 and below. Implementation of tune-up measures in addition to evaluations is encouraged but not required.	-	Registered design professional certifies that the building has an ENERGY STAR score of 50 or above for the year prior to the first due-date or at least two of the three years preceding the due date	Dec 31, 2021: Tax IDs ending in "0" and "1" and over 50,000 sq. ft. Dec 31, 2022: Tax IDs ending in "2" and "3" and over 50,000 sq. ft.; Tax IDs ending in "0" and "1" and 25,000 - 49,999 sq. ft. Dec 31, 2023: Tax IDs ending in "4" and "5" and over 50,000 sq. ft.; Tax IDs ending in "2" and "3" and 25,000 - 49,999 sq. ft. Dec 31, 2024: Tax IDs ending in "6" and "7" and over 50,000 sq. ft.; Tax IDs ending in "4" and "5" and 25,000 - 49,999 sq. ft. Dec 31, 2025: Tax IDs ending in "8" and "9" and over 50,000 sq. ft.; Tax IDs ending in "6" and "7" and 25,000 - 49,999 sq. ft. Dec 31, 2026: Tax IDs ending in "8" and "9" and 25,000 - 49,999 sq. ft.	5
San Francisco CA	Existing Buildings Energy Ordinance	2011	Comm ≥ 10,000 Public/Gov't ≥ 10,000	ASHRAE Level I for bldgs 10,000–49,999 sq. ft.  ASHRAE Level II for bldgs > 50,000 sq. ft.	-	-	Large facilities, bldgs with complex systems, and bldgs seeking LEED or ENERGY STAR certification are encouraged to undergo retrocommissioning. An RCx fulfills the audit requirement for these buildings.	High-performance buildings: The bldg has received the ENERGY STAR certification in three of the past five years, or LEED for Existing Buildings certification in the past five years. New Construction: The building was constructed (i.e. received a final Certificate of Occupancy) in the past five years.	Apr 1, 2021: Non-residential bldgs ≥ 50,000 sq. ft. Apr 1, 2022: Non-residential bldgs 25,000 to 49,999 sq. ft. Apr 1, 2023: Non-residential bldgs 10,000 to 24,999 sq. ft.	5

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San Jose CA	Energy and Water Building Performance Ordinance (EWBPO)	2018	Comm & MF ≥ 20,000 and do not meet performance target City-owned ≥ 15,000 sq. ft. and do not meet performance target	Owners must complete either an audit (energy and water), retrocommissioning, or efficiency improvement measures for bldgs that don't meet the energy and water exemption criteria.	Owners must complete either an audit (energy and water), retrocommissioning, or efficiency improvement measures for buildings that don't meet the energy and water exemption criteria.	-	Owners must complete either an audit (energy and water), retrocommissioning, or efficiency improvement measures for buildings that don't meet the energy and water exemption criteria.	Exemptions (if a bldg meets the following performance targets): LEED O&M V4 ENREGY STAR score of 75 or greater ENERGY STAR score improvement of 15 points or more relative to its performance in the baseline year Weather normalized EUI that is 25% below calculated mean for that property type (local) Reduced weather normalized EUI by at least 15% relative to its performance in the baseline year In addition to the above energy standards, a property must also meet one of four listed water standards to not be required to take one of the three improvement pathway options	APN = Assessor's Parcel Number May 1, 2021: APNs ending in "0" and "1" May 1, 2022: APNs ending in "2" and "3" May 1, 2023: APNs ending in "4" and "5" May 1, 2024: APNs ending in "6" and "7" May 1, 2025: APNs ending in "8" and "9"	5
Seattle WA	Building Tune-Ups, SMC 22.930	2016	Comm & City-owned ≥ 50,000	-	-	Building energy and water tune-ups include both mandatory and voluntary corrective actions for building owners to undertake.	-	High ENERGY STAR score prior to the compliance date Shows evidence of active monitoring and continuous commissioning Within three years prior to the compliance date: Received a green building certification equivalent to a LEED O&M V4 Gold Rating or a Net-Zero Energy Certification from ILFI Participated in and successfully completed an approved utility retrocommissioning incentive program Completed a full retro- or retrocommissioning procedure Demonstrate energy savings of at least 15% Undergone an energy audit no less stringent than the ASHRAE Level II standard and implemented all of the no-cost/low-cost energy efficiency measures, defined as providing a simple payback of three years or less Have participated in the Seattle City Light Energy Assistance Analysis program or equivalent and implemented the program defined cost-effective measures	Oct. 1, 2021: bldgs 50,000 to 69,999 sq. ft., excluding parking Oct. 1, 2023: bldgs ≥ 200,000 sq. ft. Oct. 1, 2024: bldgs 100,000 to 199,999 sq. ft., excluding parking Oct. 1, 2025: bldgs 70,000 to 99,999 sq. ft., excluding parking	5