Lessons from EPBD CA III-on compliance

Wina Roelens
Core team leader CT 6 ‘compliance and control’
Head of Energy Performance of buildings Requirements unit - VEA
It makes no sense to impose EPBD requirements when compliance is not checked.

+ 5 attention points
## Compliance in EPBD and CA

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>EPBD 2002/91/EC</td>
<td></td>
<td>/</td>
<td></td>
</tr>
<tr>
<td>EPBD 2010/31/EU</td>
<td></td>
<td>/</td>
<td>YES</td>
</tr>
</tbody>
</table>

**Article 27**

**Penalties**

Member States shall lay down the rules **on penalties applicable to infringements of the national provisions adopted pursuant to this Directive** and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall communicate those provisions to the Commission by 9 January 2013 at the latest and shall notify it without delay of any subsequent amendment affecting them.

>www.epbd-ca.eu
EPBD requirements?

- EP requirements for new and renovated building
- Availability for new, sales and renting out
- Display public buildings
- Advertisements
- Availability of regular inspection

Quality control
It makes no sense to impose EPBD requirements when compliance is not checked.
It makes no sense to impose requirements when compliance is not checked.

Scenario for the future

Real NZEB

Declared NZEB

NZEB ?
It makes no sense to impose requirements when compliance is not checked.

Flemish region: Senvivv study on thermal regulation ’90ties

- Individual dwellings
- Apartments

Date of building permit: 1989-1997

K-peil: 0-140
Without compliance checking:

Impact $\sim 0\%$
If compliance is checked

Flemish region: new framework since 2006
results of the Energy Performance requirement in new residential buildings
With compliance checking:

**Impact ~100%**
Effective EP regulations in MS... a long journey

1. TRANSPOSITION into regulation
   (national/regional building code or specific legislation)

2. IMPLEMENTATION in operational system

3. OPERATING THE SYSTEM

When did your country start to enforce the requirements for new buildings?

- Before 2012
- In 2012
- In 2013
- In 2014
- Not yet started but it is foreseen

23 MS
Attention points for the journey

1. Check of compliance: the moment is crucial
2. Legal framework needs to fit
3. It needs some courage and money
4. Do it in practice
5. Monitor compliance rate
1. The moment to check compliance

At which stage should there be proof of compliance with requirements?
1. The moment to check compliance
1. The moment to check compliance

2 checks are needed for EP requirements:

1. Check of compliance at building permit or before works start = standard practice

2. In as-build phase: evolution in MS

Before 2010 (24 MS) 2014 (23 MS)
2. Legal framework: responsibilities

Owners

Rapporteur

Inspector (Civil servant, ...)

Architect

Contractor(s)
2. Legal framework: sanctions
3. It needs courage and money

> 2012 barriers to implement an effective compliance framework:
To be effective, the compliance framework needs implementation…

- Check quality of reporting
- Certificate of compliance as build
- Non-compliance leads to sanction
4. Do it in practice

> Amount of sanctions in Belgium – Flemish region

If certificate of compliance is missing, administration sends a warning.

Requirements: Energy performance, insulation, indoor climate including ventilation and overheating. > 90% of sanctions for requirements are in common for small problems in ventilation installations.
5. Monitor compliance rate

Improving the regulation is a continuous process.

To know the effect measuring is needed.

2014: Only 52% of 23 MS has a view on compliance rates*

* In some MS, only view of compliance with all building requirements (fire,...)
Compliance checking leads to effective EPBD requirements

1. Certificate of compliance: the moment is crucial
2. Legal framework needs to fit
3. It needs some courage and money
4. Do it in practice
5. Monitor compliance rate