

Energy performance certificates

Since 1st October 2008 an energy performance certificate (EPC) is required whenever a building is built, sold or rented.

What is an EPC?

EPCs were introduced by the government to try and help improve the efficiency of buildings; to reduce heating and lighting costs and carbon emissions.

The EPC rates the energy efficiency of a building using standard measures so that different buildings can be compared. This allows prospective buyers, tenants and occupiers to see energy efficiency and carbon emission information so that they can consider them as part of their decision making process.

What does an EPC contain?

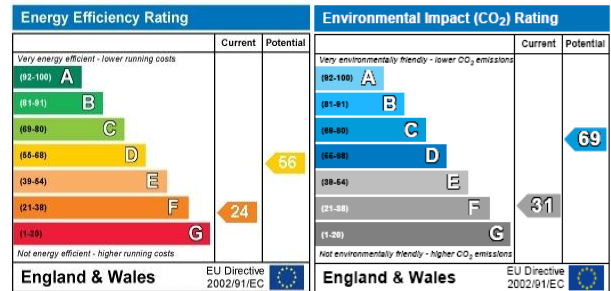
The EPC gives a rating for energy efficiency and carbon emissions and contains recommendations for improvements that could be made to increase the building's energy efficiency.

The ratings are much like the ones that have become commonplace on domestic appliances, such as fridges and cookers. The rating is from A-G, where G is the most inefficient.

As well as the actual rating a potential rating is given. This is the efficiency level that could be reached if all of the recommendations were carried out. But note: there is no duty to carry out the recommended improvements.

When are EPCs required?

An EPC is required whenever a building is constructed, sold or rented. This applies to buildings as a whole or to part of a building designed or altered to be used separately.



To be classified as a 'building' for this purpose, the premises must have walls and a roof and use energy in the form of heating, air conditioning or mechanical ventilation.

Buildings exempt from the EPC requirement are:

- places of worship
- temporary buildings with a planned time of use less than two years
- stand alone buildings with a total useable floor area of less than 50m² that are not dwellings
- Industrial sites, workshops and non-residential agricultural buildings with low energy demand

An EPC is not required for:

- compulsory purchase orders
- lease renewals or extensions to existing tenants

Construction

An EPC is required when a building is built or converted into either fewer or more units and changes are made to the heating, hot water supply or air conditioning.

The builder must obtain an EPC once the building is complete, provide it to the new owner and notify the local building control officers that this has been done no later than the time specified in the building regulations.

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Sale

An EPC must be obtained and made available (free of charge) to a prospective buyer no later than the earliest of these events to occur:

- when written information is provided in response to a request for information from the prospective buyer; or
- when a viewing is conducted; or
- before entering into a contract to sell

The seller does not have to provide an EPC if they believe the prospective buyer is not genuinely interested or does not have sufficient funds to purchase the property or if the seller is unlikely to sell the property to them.

Rental

Very similar rules apply as to sale. An EPC must be obtained and made available (free of charge) to a prospective tenant no later than the earliest of these events to occur:

- when written information is provided in response to a request for information from the prospective tenant; or
- when a viewing is conducted; or
- before entering into a contract to let

The seller does not have to provide an EPC if they believe the prospective buyer is not genuinely interested or does not have sufficient funds to rent the property or if the seller is unlikely to rent the property to them.

Commercial buildings can be very complex with mixed usage or retail, office and residential accommodation and it is important that the EPC for any particular unit or space reflects the accommodation on offer. If heating, lighting or air conditioning are shared then an apportionment will need to be applied to separately let units.

How do I get an EPC?

Only an accredited energy assessor can produce a valid EPC. They may be employed by a company or be independent traders.

What does the energy assessor do?

The energy assessor will visit the building and conduct an energy assessment. This involves collecting data on the property including its size, construction, and energy usage for heating, lighting etc.

This data will then be inputted into approved government software to produce the EPC using standard energy ratings.

Are there any other provisions I should be aware of?

Air conditioning

If your building has air conditioning it should be regularly inspected. Since 4th January all air conditioning systems over 250kW should have had their first inspection. By 4th January 2011 all air conditioning systems over 12kW must have their first inspection.

Public buildings

Buildings with a total usable floor area over 1000m² that are occupied by public authorities or institutions providing public services to a large number of people and therefore visited by those people must display a Display Energy Certificate (DEC).

The DEC shows the actual energy usage of a building and the operational rating. It must be clearly displayed and visible to the public, at all times. The DEC is accompanied by an advisory report that lists recommendations to improve the energy rating of the building.

This is just a very brief summary of EPCs. If you feel you have any issues arising out of EPCs you should seek further, more detailed advice at www.gardandco.com.

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