



STATEMENT OF THE MASSACHUSETTS ASSOCIATION OF REALTORS AND GREATER BOSTON REAL ESTATE BOARD ON THE STRAW PROPOSAL FOR AN UPDATED STRETCH CODE AND A NEW SPECIALIZED OPT-IN STRETCH CODE

MASSACHUSETTS DEPARTMENT OF ENERGY RESOURCES

March 18, 2022

On behalf of the more than 27,000 licensed member professionals of the Massachusetts Association of Realtors® (MAR) and 12,000 members of the Greater Boston Real Estate Board (GBREB) we share the following comments to best reach the goals of Chapter 8 of the Acts of 2021 while minimizing increased housing costs that will further exacerbate the state's longstanding housing crisis and continue to price residents out of housing.

1-Year Concurrency Period

Housing development takes time. Projects need to go through rigorous design and approval phases before they can even break ground. In addition, it will take time for new green technologies to be reliable and commercially available so that their procurement and widespread installation can be completed efficiently. Given the substantial changes these code changes will require of new construction, we support the inclusion of a one-year concurrency period with the current base and stretch energy codes so as to limit negative impacts on much needed housing projects already in process.

Assure Building Incentives

The Straw Proposal and Summary of Energy Efficiency Analysis Presentation both rely heavily on the availability of substantial financial incentives from the Mass Save program in order to reach the cost savings they tout. It is unclear how far Mass Save funding will go or whether every building will be eligible or approved for benefits under the program. Thus, MAR and GBREB urge the adoption of additional incentives beyond Mass Save to help offset the substantial costs these new codes entail.

Release Underlying Reports

The straw proposal is based heavily on two studies commissioned in 2019 to analyze the up-front costs, operational costs, and total cost of ownership of "Residential Low-Rise" and "Commercial & Large Multifamily" development. However, it is impossible to analyze its conclusions, which vary between sections of the report,¹ without access to these studies. Given the vital role that the Energy Code Analyses apparently played in the development of the Straw Proposal, DOER should make them available for review on its Stretch Energy Code Development 2022 website. Posting a summary of the Energy Code Analyses simply is not sufficient.

¹ See e.g. cost savings predictions vary between slides 24 and 14 of the Summary of Energy Efficiency Analysis Presentation and slide 20 of the Straw Proposal. Also see predicted cost differential differs between slide 20 of the straw proposal compared to slides 13, 14, and 26 of the Presentation.

Work with Experts

MAR and GBREB support the creation of an advisory group of technical experts from impacted industries to assist in analysis and drafting of the code. An advisory group will give the industries regulated by this code a voice and streamline their understanding and compliance.

Please do not hesitate to contact Justin Davidson, General Counsel, MAR
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