

1396 ✓

12/13/2016  
Home Energy Score Testimony  
Agenda item 1396

188143

To Commissioners:

The Mayor's Office delivered 980 postcards to Clerk's Office for this item today. Sample is below.

TEAR OFF AND SEND TO CITY COUNCIL

Dear City Council Members,

Homeowners should not be forced to obtain an energy audit just so they can sell their home. Homeowners face many budgetary and scheduling challenges when they make the decision to sell a home. Imposing an energy audit mandate will cost taxpayers valuable time and money. Besides, most home sales already require a home inspection that informs buyers and sellers about the energy efficiency of a home. There is no need for the city to create a new bureaucratic challenge for Portland families. This proposal will add unnecessary red tape and an additional cost burden to the process of selling a home. Nor should homeowners be forced to share personal information online by having energy audit findings posted publicly on the internet.

**I ask you to vote NO on the mandatory home energy audit.**

Sincerely,

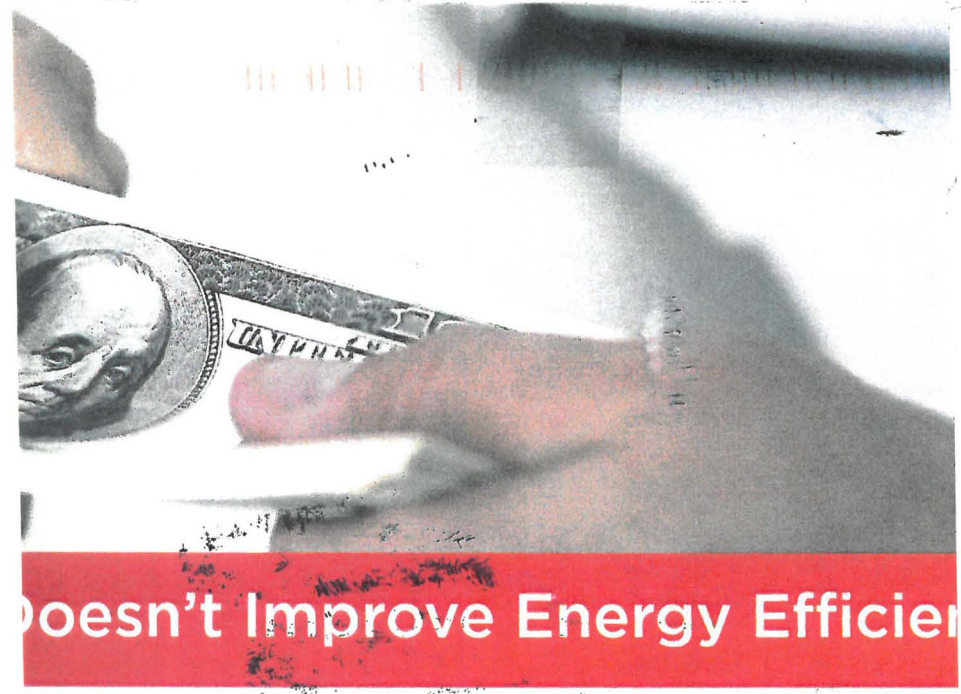


Signature

Print Name



Clerk note: More cards were received 12/14/2016.  
Approximately 1,000 total.



Portland Metropolitan Association of REALTORS®  
150 SW Harrison Street  
Suite 200  
Portland, OR 97201

PRSRT STANDARD  
U.S. POSTAGE  
PAID  
WEBB/MASON  
COMMERCIAL

T26 P1 13451  
The Houston Household  
6975 N Oatman Ave  
Portland, OR 97217-5126



Portland Metropolitan Association of REALTORS®

 **Mr. Michael Houston**  
6975 N Oatman Ave.  
Portland, OR 97217-5126

188143  
Representative  
Sampling


**Mayor and City Council  
c/o Clerk of the Council  
Portland City Hall  
1221 SW Fourth Avenue  
Portland, OR 97204**

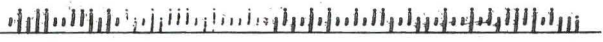
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**I ask you to vote NO on the mandatory home energy audit.**

Sincerely, *Jean Houston* *Jean Houston*  
*Michael Houston* MICHEL L. HOUSTON   
Signature Print Name



188143

Representative Sampling

Signature

*Suzanne Anker*

Print Name



Sincerely,

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Sincerely,

Signature

Print Name



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**I ask you to vote NO on the mandatory home energy audit.**

Sincerely,

*Suzanna Askins*  
Signature

Suzanna Askins  
Print Name



**Moore-Love, Karla**

---

**From:** Babinec Gehl <gehlb1@comcast.net>  
**Sent:** Tuesday, December 13, 2016 1:05 PM  
**To:** Hales, Mayor; Commissioner Fritz; Commissioner Fish; Commissioner Novick; Commissioner Saltzman; City Auditor, Mary Hull Caballero; Moore-Love, Karla  
**Cc:** ted@tedwheeler.com  
**Subject:** No No-No on Portland Home Energy Score Audit

Dear City Council,

Private property owners should not be forced to obtain an energy evaluation audit just so they can sell their home. Homeowners face many budgetary and scheduling challenges when they make the decision to sell a home. Imposing an energy audit mandate will cost taxpayers valuable time and money. Besides, most home sales already require a home inspection that informs buyers and sellers about the energy efficiency of a home. There is no need for the city to create a new bureaucratic challenge for Portland families. This proposal will add unnecessary red tape and an additional cost burden to the process of selling a home. Nor should homeowners be forced to share personal information online by having energy audit findings posted publicly on the internet.

Sincerely,

**Gehl Babinec**, 3842 SW Dolph Court, 97219

**Parsons, Susan**

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**From:** City Auditor, Mary Hull Caballero  
**Sent:** Wednesday, December 07, 2016 4:38 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: Home Energy Score: Strong Opposition to Proposal

FYI

-----Original Message-----

**From:** Justin Girard [mailto:marketingdump@futuredictionary.com]  
**Sent:** Tuesday, December 06, 2016 12:54 PM  
**To:** Commissioner Fish <nick@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>  
**Subject:** Home Energy Score: Strong Opposition to Proposal

Dear Commissioners,

As a Portland homeowner, I am writing to voice my strong opposition to the Home Energy Score proposal coming before the City Council.

The proposal effectively represents a redundant tax on home sellers given that an inspection, which already costs north of \$500 on average, already covers installed appliances and buyers may easily request references to billing averages through their realtor or directly.

Additionally, according to the federal government's own measurements, residential emissions only account for 5.6% of total national emissions, raising questions about the effectiveness of the proposal in relation to "climate goals", and how quickly any nominal effects could even be realized. None of the available documentation provides a reference to any related data specific to Portland, or projections based on federal data, including how a "building envelope" is measured for an existing structure or what justifies the estimated \$150-\$300 range for a "test".

Sources:

<http://www.c2es.org/technology/factsheet/BuildingEnvelope>  
<http://www.c2es.org/energy/use/residential-commercial>

Further complicating the proposal are privacy concerns in relation to the data collected, to whom it is disseminated, and how it is used.

Who can ensure that this data will not be used for direct marketing, or to target homeowners in "inefficient homes" for penalties that will constitute additional taxation, on a federal, state or local level?

This, especially in light of the suspect nature of the "score" in general and when averaged across homes nationwide. The methodology is also suspect in that no reference to the aggregate, local climate data is provided. Sources:

<https://betterbuildingsolutioncenter.energy.gov/home-energy-score/home-energy-score-methodology>

This is a federal program masquerading as a local proposal, given that all of the data and program structure is derived from federal government programs. It raises concerns that this is an attempt to pull existing structures into the already suspect and prone to gaming LEED certification program, using a "well meaning front". This is what is commonly referred to as "the corruption of good intentions".

This smells very much like a scam and homeowners are paying attention. I am strongly opposed to this effective tax. The appliances in my home are none of the local or federal government's business, and the basis for a hard mandate has not been sufficiently met.

--

Justin Girard  
4129 NE 40th Ave  
Portland, OR 97211  
marketingdump@futuredictionary.com

---

**From:** Laura Herbst <herbstlaura1@gmail.com>  
**Sent:** Wednesday, December 07, 2016 8:15 AM  
**To:** Council Clerk – Testimony  
**Subject:** energy audit requirement for home sales

Dear Council:

I wish to state my opposition to this requirement, which is one more obstacle to residents saving older homes. Our neighborhood, Multnomah Village, has suffered from the demolition of homes and the increase of uncharacteristic density that comes with dividing and redeveloping lots. Prospective buyers can review utility bills for this information, and a government requirement is not necessary.

Sincerely,

Laura Herbst  
Property Owner  
7315 SW33rd Avenue  
Portland, OR

**Parsons, Susan**

---

**From:** City Auditor, Mary Hull Caballero  
**Sent:** Monday, December 05, 2016 8:11 AM  
**To:** Council Clerk – Testimony  
**Subject:** FW: MANDATORY ENERGY AUDITS: UNNECESSARY. COSTLY. INTRUSIVE.

**Importance:** High

FYI

**From:** Thomas Williams [mailto:[twilliams@appraiserwilliams.com](mailto:twilliams@appraiserwilliams.com)]  
**Sent:** Friday, December 02, 2016 4:26 PM  
**To:** Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Commissioner Fish <[nick@portlandoregon.gov](mailto:nick@portlandoregon.gov)>; Commissioner Saltzman <[dan@portlandoregon.gov](mailto:dan@portlandoregon.gov)>; City Auditor, Mary Hull Caballero <[AuditorHullCaballero@portlandoregon.gov](mailto:AuditorHullCaballero@portlandoregon.gov)>  
**Subject:** MANDATORY ENERGY AUDITS: UNNECESSARY. COSTLY. INTRUSIVE.  
**Importance:** High

Dear City Council,

Private property owners should not be forced to obtain an energy evaluation audit just so they can sell their home.

Homeowners face many budgetary and scheduling challenges when they make the decision to sell a home. Imposing an energy audit mandate will cost taxpayers valuable time and money.

Besides, most home sales already require a home inspection that informs buyers and sellers about the energy efficiency of a home.

There is no need for the city to create a new bureaucratic challenge for Portland families.

This proposal will add unnecessary red tape and an additional cost burden to the process of selling a home.

Nor should homeowners be forced to share personal information online by having energy audit findings posted publicly on the internet.

Sincerely,

Thomas J. Williams  
[twilliams@appraiserwilliams.com](mailto:twilliams@appraiserwilliams.com)  
503.644.7725



**Parsons, Susan**

---

**From:** City Auditor, Mary Hull Caballero  
**Sent:** Monday, December 05, 2016 8:11 AM  
**To:** Council Clerk – Testimony  
**Subject:** FW: No Energy Audits

FYI

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**From:** Julia Harris [mailto:jhgpx@comcast.net]  
**Sent:** Saturday, December 03, 2016 7:22 PM  
**To:** City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>  
**Subject:** No Energy Audits

Dear Ms Caballero,

Private property owners should not be forced to obtain an energy evaluation audit just so they can sell their home. Homeowners face many budgetary and scheduling challenges when they make the decision to sell a home. Imposing an energy audit mandate will cost taxpayers valuable time and money. Besides, most home sales already require a home inspection that informs buyers and sellers about the energy efficiency of a home. There is no need for the city to create a new bureaucratic challenge for Portland families. This proposal will add unnecessary red tape and an additional cost burden to the process of selling a home. Nor should homeowners be forced to share personal information online by having energy audit findings posted publicly on the internet.

Sincerely,

Julia Harris  
4045 SW Council Crest Drive  
Portland, OR 97239

## Moore-Love, Karla

---

**From:** Chris Baker <fixityg@hotmail.com>  
**Sent:** Friday, December 02, 2016 2:53 PM  
**To:** Moore-Love, Karla  
**Subject:** Mandatory Energy Audits

188143

Sent from my Galaxy Tab® A Please make it clear to both the council members and the Mayor that the mandatory energy audit is one more straw on the backs of a burdened society. Leave us in peace!

**Parsons, Susan**

---

**From:** Paul Grove <PaulG@hbapdx.org>  
**Sent:** Wednesday, November 23, 2016 9:03 AM  
**To:** Council Clerk – Testimony  
**Cc:** Caitlin Horsley; James Adkins; Dave Nielsen  
**Subject:** Energy Performance Rating Letter  
**Attachments:** EPS Testimony.docx

188143

See the attached letter on behalf of the HBA of Metro PDX re: Energy Performance Rating.

Paul Grove  
Home Builders Association of Metro Portland  
t 503.684.1880 | f 503.684.0588 | [hbapdx.org](http://hbapdx.org)



188143

Home Builders Association  
of Metropolitan Portland

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November 22, 2016

The Honorable Charlie Hales, Mayor  
City of Portland  
1221 SW Fourth Avenue  
Portland, OR 97204

Re: Residential Energy Performance Rating and Disclosure

Mayor Hales and Commissioners:

The HBA of Metro Portland (HBA) appreciates the opportunity to comment on the Residential Energy Performance Rating and Disclosure measure before Council.

The proposal is a commendable step toward increasing the value of home performance and raising the awareness of potential home buyers as to the operating costs of a home. However, there are items that stand out as problematic from a policy perspective.

The HBA, and the work of its Home Performance Council (HPC), actively encourages initiatives and building practices that promote sustainability and a healthy environment. The HPC partners with the Energy Trust of Oregon, inspectors and verifiers to promote better building practices in the city, to include energy efficient, high performance homes and buildings designed and constructed to contribute to the long-term viability of our community.

The HPC recently met and had a robust conversation concerning this proposal. Unfortunately, the group could not collectively support this proposal as it is written.

With the majority of the HPC's work in new construction, the mandate of the Home Energy Score (HES) actually provides a disincentive to builders to build high-performance homes because of the score's limitations. The HES, as it stands, does not allow for an increased score if the newly built home meets existing code. For example, if a new home is built to code, it will receive a minimum score of nine out of 10 HES. If the same home is built with additional home-energy features that go beyond the existing code, the new home would still receive a minimum HES score of nine out of 10.

However, in the case of new construction, the proposal could actually do the opposite and devalue additional energy performance features, as it is currently written. To address this concern, we would recommend that newly constructed homes be exempt from this proposal, by removing the requirement for the first sale of a home.

Home Builders Association of Metro Portland  
15555 SW Bangy Rd., Ste. 301  
Lake Oswego, OR97035  
503-684-1880 • Fax 503-684-0588

In addition to the impacts on new home performance, the quick, far-reaching implications of the proposal are worrisome. As such, we'd recommend that the policy be amended to include a ramping-up or pilot phase-in to mitigate unforeseen impacts of a requirement that affects builders, remodelers, realtors, inspectors, verifiers and most importantly, Portland residents of every socio-economic category.

The HBA values our relationship with the City and looks forward to working together on these important issues for Portland. Thank you for your consideration of the proposed items.

Respectfully,

Paul Grove  
Director of Government Affairs  
HBA of Metro Portland

Caitlin Horsley  
Sustainability Manager  
HBA of Metro Portland, Home Performance Council

## Agenda Item 1298

## TESTIMONY

9:45 AM TIME CERTAIN

**SUPPORT****HOME ENERGY SCORE**IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Ella Shriner	2235 NE 43rd Ave 97213	ella.shriner21@gmail.com
✓ Olivia Margaret	1129 SE 34th Ave 97214	maggiemago0222@gmail.com
✓ Jan Zuckerman	2914 NE 18th Ave 97212	zuckerez@hotmail.com
✓ Kym Craft Miller	3495 NW South Rd PDX 97209	golitely@comcast.net
✓ Michael Heumann	2402 NE 26th Ave 97212	heumannhealth@gmail.com
✓ Samuel Pastrick	610 SW Broadway Suite 400	Samuel@oregonis.org
✓ Allen Lee	5414 NE Emerson	alee513@yahoo.com
✓ Emma Swanson	935 SW Carson St	emabright14@gmail.com
✓ <sup>invited</sup> Tim MILLER	3495 NW SOUTH Rd. <sup>Portland</sup>	tim.miller@cedabit.org
✓ Jackie Dingfelder	NE 43rd Ave, Portland	
✓ David Vanit Hof	NE 39th Ave, Portland	

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NAME (print)

ADDRESS AND ZIP CODE

Email

<sup>left</sup> Angus Duncan	2323 New Johnson Portland 97210	aduncan @ B-E-F.org
<sup>Alexis</sup> Ashley Henry	2321 SE 30th 97214	ashley@ashleyhenry.com
<sup>left</sup> Kelly Haines	2044 N Schofield St 97217	khaines@worksystems.org
JEFF COLE	1931 NE BRAZEE ST 97212	jeff-cole@konstrukt.com
<sup>left</sup> John Morris	4203 NE 25th Ave 97211	johnemorrisenergyconsulting.com
Tom Kelly	173 NE Bridgeton 97211	tomk@weilkady.com
<del>David</del> Senator Michael Dombrow	3840 NE 71st Ave 97213	David@climatesolutions.org
39 Ron "Mac" McDowell	3303 SW Arnold St Portland 97219	ronnimaepdx@gmail.com
70 Danny Kelley	7344 SE Martins St Portland, OR 97206	danny.kelley@enhabit.org
67 Jamey Duhamel	9423 N. Fisk	jamey.duhamel@gmail
36 Berenice Lopez	10006 SW Canyon Rd	info@helppdx.com
<del>Jackie Dingfelder</del> Spoke	3840 NE 71st Ave 97213	David@climatesolutions.org

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NAME (print)	ADDRESS AND ZIP CODE	Email
25 ✓ Don MacOdum	6815 SW 11th Dr, 97219	don@hpguild.org
24 ✓ Holly Braun	4570 NE MASON ST 97218	holly.braun@unnatural.com
37 Anne Rose Shapiro	1732 NE SUMMER ST 97211	REALTOR ANNIE ROSE @ GMAIL.COM
37 <sup>LEFT</sup> Bill Hoelzer	5300 SE Jean St, PDX 97206	williamhoelzer@gmail.com
31 Rio Marquez-Hammitt	8806 N Fiske Ave PDX 97203	riomh15@gmail.com
30 Craig Aaker	7051 N Wellesley Ave, PDX, 97203	cdaaker@gmail.com
29 ✓ Robert Harmerly	2869 NE Sandy	robert+h@greensaversusa.com
✓ Kendra Van Nute	61173 Lodgpole Dr. Bend OR 97702	kraniinc@hotmail.com
28 Jana Castellum	3015 NE 66th Ave. PDX	janage@oeconline.org
27 Faith Graham	2223 NE 43rd PORTLAND	faithg@empower-oregon.com
26 ✓ Hilary Barassa		green TEAM PDX @ GMAIL.COM



Agenda Item 1298

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SUPPORT
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HOME ENERGY SCORE

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NAME (print)

ADDRESS AND ZIP CODE

Email

25	Webly Bowles	844 N. PENINSULAR AVE. 97217	weblybowles@gmail.com
24	Brian Simmons	4223 NE 25 <sup>th</sup> Ave. 97211	bwsimmons831@gmail.com
23	ANTHONY ROY	623 SW OAK #300	ARoy@earthadvantage.org
22	CHAD RUTHOFF	6311 SE 41 <sup>st</sup> Ave 97202	chadrhoff@hotmail.com
21	Kristina Damsehern	1113 NE Webster ST PDX 97211	kristina@indoorwindows.com
20	Dave Van't Hof	3840 NE 71 <sup>st</sup> Ave 97213	davode@climatesolutions.com
19	PETER TOFALVI	235 NE 133rd Ave 97230	pgtofalvi@gmail.com
18	STEVEN BRITTON	4248 NE 148 <sup>th</sup> Ave 97230	stweub@fastwaterheater.com
17	LISA PICKURT	2746 SE 37th Ave 97202	lisa.pickurt@neilkelly.com
16	Rose Woofenden	3111 SE 64th Ave 97206	rosew@neilkelly.com
15	Ben Rousseau	3264 SE Lake Rd. 97222	benrousseau2@hotmail.com

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ADDRESS AND ZIP CODE

Email

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ ROGER KAINU	625 MARION ST. SALEM	ROGER.KAINU@OREGON.GOV
17 Stephanie Taylor	1918 SE Ankeny, PDX, OR	staylor@audubonportland.org
12 Daniel Serres	1125 Se Madison St. Suite 103A Portland OR 97214	dan@columbiawriters.org
1 Steve Higgs	3803 N. Massachusetts Ave, Portland 97227	higgs.steve@gmail.com
10 ✓ DR. Theodora Tsongas	OR Physicians for Social Responsibility	tsongas@gmail.com
9 Stephanie Lundin	4212 N MISSISSIPPI AVE PDX 97217	stephanie.lundin@gmail.com
8 ALEX BOETZEL	2211 NE MORGAN ST PDX	boetzel@gmail.com
7 JAMES VALDEZ	7226 N FISKE PORTLAND 97203	jamesv@gmail.com
6 ✓ Sherrie Pelsum	1304 NE 76th Ave PORTLAND 9723	KADICALLEFTIST@HOTMAIL.COM
5 Lori Lane	444 NW Skyline Blvd 97229	lorilane2009@gmail.com
<del>Removed self</del> GREGORY MONAHAN	7225 SW 13TH AVE 97219	gregorymonahan29@gmail.com

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NAME (print)	ADDRESS AND ZIP CODE	Email
4 Chris Chambers	7102 NE 10th Ave 97221	chrisdc64@gmail.com
3 <del>JOSHA SALINGER</del>	1633 SE 55th Ave 97215	joshadbirdsmouth construction.com
✓ Christian Rudy	4619 NE 30th Ave	crudyby@gmail.com

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NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Amalia Silverheart	2017 SE 42nd Ave 97215	mollysilverheart@gmail.com

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NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Barbara Kerr	1156 NE Faloma Rd, Portland OR 97211	kerrclifford@hotmail.com

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IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ TED BLEICHMAN	8017 N. DANA, PDX 97203	

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**OPPOSE****HOME ENERGY SCORE**IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Justin Wood	6401 NE 33rd Ave. PDX	Justin@fishconstruction.com
✓ EVAN SWANSON	920 SE TACOMA PDX	evan@mortgage-trust.com
✓ JANE LEO	PMAR 150 SW Harrison St #200, 97	jleo@pmar.org
<del>Remove myself Jason</del> ✓ Kim Hayworth	TROMBLEY 5030 SW Richardson Dr	Kim h@winderw.com
✓ Phil Norman	1234 NE 118th Ave Portland 97215	pjnorman@gmail.com
✓ Michele Gila	628 SE 58th Ave Portland	michele@rootsrealty.com
✓ STEVE STRODE	808 SW TERWILLIGER PL, PORTLAND	STEVESTRODE.REALTOR@gmail.com
✓ TERRY PARKER	P.O. Box 13503	parker202@gmail.com
✓ Cynthia Chen	2916 NE 7th Ave 97212	Cynthia@winderw.com
✓ Rick Dodge	8061 SE Poling Ct PDX 97116	Rickdodge@cs.cu
<del>Carli Harsley</del>	<del>15555 SW Bandy Rd. Lake O</del>	<del>CarliH@harsley.com</del>

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NAME (print)

ADDRESS AND ZIP CODE

Email

NAME (print)	ADDRESS AND ZIP CODE	Email
Jeff Papazian	2023 SW 2 <sup>nd</sup> CT. 97080	JeffPapazian@gmail.com
Diana McCredie	0650 SW Gaines St. 97239	Diana-L.mccredie@gmail.com
James Watters	937 NW Glisan #537 97209	jamie@jamiuwatters.com
Kerri Hartnett	3435 NE Lombard Ct 97211	Kerrifelle@kw.com
DANIEL MURO	5800 S.W. MEADOWS RD L.O. ORE suite 100	D.Muro1031@comcast.net
Paul Grove	15555 SW Bangy Rd. Lake Oswego	paulg@hbapdx.org
Caitlin Horsley	" "	caitlinh@hbapdx.org
Nick Krautter	35 NE Weidler Portland, OR 97232	Nick@sellpdx.com
(cont - next pg.)		



Agenda Item 1298

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**OPPOSE**

HOME ENERGY SCORE

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

NAME (print)	ADDRESS AND ZIP CODE	Email
11 LAURIE KOVACIK KOVACIK	237 NE Broadway Portland 97232.	lkovacic@me.com.
12 KRIZ Kriz Bohan	6224 N Burnage	Kriz.Bohan@gmail.com
9 Philip Mander	6135 SW Erickson Ave. Beaverton OR	phmanda@gmail.com

Good morning commissioners, Mayor Hales, and fellow Portland citizens. My name is Evan Swanson and I am a mortgage professional with over 14 years of experience here in Portland as well as a concerned property owner. I am here to voice my opposition to the proposed ordinance requiring a mandatory energy audit for homes which are publicly listed for sale.

There is no doubt that the proposed ordinance is well intentioned. I, along with others, share in supporting the goal of reducing carbon emissions to meet the city's 2009 Climate Action Plan. That said, like so many other well intentioned proposals this one is stocked with unintended consequences that will negatively impact the ability of homeowners in the city of Portland to freely and openly transact their property.

According to an August 2016 Corelogic report 73% of home purchases in the state of Oregon involve some form of financing ([http://www.corelogic.com/blog/authors/molly-boesel/2016/08/cash-sales-update-may-2016.aspx#.WDUkwVw2\\_s0](http://www.corelogic.com/blog/authors/molly-boesel/2016/08/cash-sales-update-may-2016.aspx#.WDUkwVw2_s0)). Therefore we know that approximately three out of every four sales are scrutinized by a bank underwriter and/ or appraiser. As a part of their due diligence when evaluating the collateral for a loan located in the city of Portland home loan underwriters and appraisers routinely review information listed on portlandmaps.com to gather information.

It is my understanding that under the proposed ordinance the director plans on making the results of the mandatory energy audit available on portlandmaps.com. Herein lies unintended consequence number one.

In an instance where the publicly displayed energy audit results suggest any adverse conditions in the home the underwriter and/ or appraiser will be required to cross reference the publicly listed information to make sure that the home meets minimum property requirements as established in underwriting guidelines put forth by Fannie Mae, Freddie Mac, FHA/ VA, or other applicable sources. In the event where the underwriter/ appraiser deems the property fails to meet the underwriting requirements then the bank will demand required repairs as a contingency of completing the financing and therefore sale of the property. (I will also be submitting written testimony from the chief appraiser for the largest locally owned appraisal management company in our area confirming this information).

In some instances, the buyer and seller may be able to negotiate the required repairs without threatening the sale. However, there will be instances where the buyer and/ or seller is not willing to spend the additional money or is not financially capable in which case the sale will not take place unless the seller can find a cash buyer who inevitably will recognize the seller's predicament and take advantage by offering a lower price. It's important to note that banks do not presently make conventional loans secured by homes which are actively listed for sale.

Thus, I believe this proposed policy will unfairly hurt low income households who are less likely to have the resources to maintain their homes and who are less likely to have the resources to make lender required repairs. I understand the policy does offer deferrals to those who can demonstrate certain hardships which brings us to unintended consequence number two. A lack of a publicly displayed home energy audit will signal to unscrupulous individuals that a homeowner is of meager means and invite predatory marketing efforts targeted at vulnerable citizens.

For these reasons, I am asking you to please join me in opposing the proposal to require mandatory energy audits. Thank you.

Sincerely,

Evan T. Swanson, CFP® / [evanswanson.com](http://evanswanson.com) / [evan@mortgage-trust.com](mailto:evan@mortgage-trust.com)



**FIRST CHOICE NORTHWEST**  
**Appraisal Management Company**

6700 SW 105<sup>th</sup> Avenue, Suite 200, Beaverton OR 97008  
PHONE: 503-619-0244 FAX: 503-619-2070

Thursday, October 6, 2016

Re: City of Portland's proposal for mandatory residential energy audit

To whom it may concern;

As the Chief Appraiser of the premier Appraisal Management Company in Portland I would like to submit my perspective and comment to the City of Portland's recently released mandatory residential energy audit policy and how it may impact the real estate market in the future.

Fundamentally an appraiser's job in a real estate transaction is to provide an unbiased report for the lender regarding the collateral for the loan being made. A common misconception amongst the general public is that the only aspect regarding an appraisal that is of importance to a lender is the opinion of value. In fact, along with an opinion of value the appraiser provides a comprehensive report with a variety of information pertaining to the age, structure, and condition of the home. One of the sources of information that appraisers routinely use is portlandmaps.com.

It is my understanding that under the proposed policy the results of the standardized energy audit would be publicly available on portlandmaps.com. One of the potential issues this raises is the misuse of the energy audit results that could lead to a variety of outcomes including:

- Homes potentially being looked at as deficient when in fact they are typical of a good segment of the market as evidenced by other sales w/ similar audit results.
- Potential addition of lender required repairs which typically must be completed at the seller's expense prior to closing and could lead to termination of the sales transaction.
- Delays in transactions in a market where the typical transaction is already out over two months.

In short, it is my belief that this proposal could have unintended consequences on real estate transactions and make it more difficult for households to sell homes that are actually typical of the market. Thank you for your attention and please feel free to contact me with any questions.

Thanks,

T. Jon Grace  
Chief Appraiser  
First Choice Appraisal Management  
[jon@firstchoicenw.com](mailto:jon@firstchoicenw.com)



**Testimony of Jane Leo, Governmental Affairs Director  
Before the  
Portland City Council  
Home Energy Score Policy**

**November 23, 2016**

On behalf of the 8,000 members of the Portland Metropolitan Association of Realtors® (PMAR), I encourage you to reject the proposal before you known as the “Residential Energy Performance Rating and Disclosure” Chapter 17.107.

We support the City’s goal of reducing carbon emissions and increasing energy efficiencies, but we oppose a pre-listing energy audit mandate being placed on sellers of single-family homes before they can list their home for sale.

The proposal before you is highly flawed, costly to homeowners and taxpayers, intrusive, disadvantages owners of older properties, and causes hardship for moderate to low income families who choose to sell their home.

The proposed energy audit mandate will not allow the City to achieve its goal of reducing carbon emissions from single-family owner occupied homes. The mandate results in a piece of paper for the seller to make available to all persons interested in the property whether they be a legitimate buyer or just a nosey neighbor. There are no guarantees an audit will result in energy efficiency improvements being made to the home or that less energy will be used by the occupants<sup>1</sup>. The City should focus on promoting incentives and on developing a program that will expand on the 600 home energy audits that were voluntarily conducted in 2015<sup>2</sup>. This has a better chance of resulting in energy efficiency upgrades than a piece of paper with a score.

Specific to Sections 17.107.040 and 17.107.050 which state that the seller would be required to submit to the City the results of the energy audit and that the score will be publically posted, such as on portlandmaps.com, such posting is counter to ORS 469. Energy auditors conducting audits are subject to ORS 469.703 and corresponding Oregon Department of Energy Administrative Rules (OAR). The language of the statute is clear that in establishing standards for energy audits and auditors statewide, the intent was to ensure those scores are not published in such a way as to identify the homeowner by name or address so as to do no harm. The City’s energy score proposal blatantly ignores this fact.

A majority of Portlanders don’t support this proposal. In a recent survey by American Strategies Inc.<sup>3</sup>, 60% responded they were more likely to oppose the energy audit proposal after hearing the score would be posted on a public website. I encourage the City to listen to its residents.

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<sup>1</sup> “How Well Do Energy Audits Serve the Homeowner?”, 2012 ACEE Summer Study on Energy Efficiency in Buildings, by Aaron Ingle, Mithra Moezzi and Loren Lutzenhiser, Portland State University, pages 2-217); “If home energy audits were to pay greater attention to behavior, they could potentially provide customized guidance on behavioral conservation that is more useful and salient...”

<sup>2</sup> Home Energy Score—Proposed Policy 9.6.2016 Draft, City of Portland, page 1.

<sup>3</sup> American Strategies, Inc., October 20-24, 2016, 400 Portland residents and voters

It cannot be ignored, this is a costly mandate. The City will have to create and staff additional bureaucracy to track homes listed for sale and either withdrawn or sold; as well as any buyers who become responsible for the cost of having the energy score audit performed. In 2015, 13,187 single-family homes transacted in Portland<sup>4</sup> that would have been impacted by this policy. Given the fact that on average between four and six percent of the City's 160,000 single family housing units transact in a year, it is unavoidable—should the City create an energy audit score program—there will have to be a commitment of taxpayer dollars from the General Fund.

There is no reason the City needs to be involved in a personal financial transaction between a seller and a buyer. Even the City's Planning and Sustainability Commission recognized by their 5-4 vote and in their letter to Council that what the City is proposing is flawed. Much of the same information about a home's energy efficiency can be obtained through means other than through a paid-for audit. In fact, the US Department of Energy, at energy.gov, posts steps for a do-it-yourself energy audit. And, Energy Trust has a similar free on-line audit.

As a final statement, as I began talking with various non-profits in Portland who provide home ownership opportunities, and with mortgage lenders and bank appraisers, it became very clear--very quickly--that the City did not involve these stakeholders and interest groups in the development of the proposed home energy score mandate.

In closing, the proposed home energy score mandate is unnecessary, intrusive, bureaucratic and costly. On behalf of PMAR's membership, I encourage you to reject the proposal before you.

Thank you.

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<sup>4</sup> Source: TC Trends, Portland, OR, Recordings—12 MO Res Activity, June 1, 2016



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Mayor Hales  
Commissioner Saltzman  
Commissioner Fritz  
Commissioner Fish  
Commissioner Novick  
Auditor Caballero

Re: Agenda Item 1298 for Portland City Council Meeting, November 23, 2016  
The City of Portland's proposed Home Energy Score Ordinance

The Oregon Chapter of the Sierra Club supports the City of Portland's proposed Home Energy Score Ordinance.

Hardly a day goes by without some new information about the ever increasing seriousness of the impacts of our warming planet.

Here are just two recent articles:

- *U.S. record heat poised to outpace record cold by factor of 15 late this century.*, Washington Post, November 21, 2016  
"The growing disparity between record warmth and record cold will be pushed along by a steady rise in the average temperature over the Lower 48. The temperature in the Lower 48 is projected to warm about 5.4 degrees (3 Celsius) by 2065, assuming emissions of heat-trapping gases from human activity continue at the current pace."
- *'Extraordinarily hot' Arctic temperatures alarm scientists*, The Guardian, November 22, 2016  
"Temperatures have been only a few degrees above freezing when -25C<sup>1</sup> should be expected, according to Rutgers University Research Professor Jenifer Francis. "These temperatures are literally off the charts for where they should be at this time of year. It is pretty shocking. The Arctic has been breaking records all year. It is exciting but also scary.""

It is clear to any rational person that we no longer have the option of waiting for others to take responsibility for the unfolding climate crisis that we are only beginning to experience.

This ordinance represents an important step for the city to take to lead to lowered fossil fuel use, with lowered greenhouse gas emissions.

<sup>1</sup> This amounts to a 20 degrees C or 36 degrees F rise in temperature.

Thank you for having the vision to continue the needed changes which lead us towards a carbon free future.

*Gregory P. Monahan, PhD*

Gregory Monahan, PhD  
Chair, Beyond Gas & Oil Team  
Oregon Sierra Club  
7225 SW 13<sup>th</sup> Ave  
Portland, OR 97219

To: The Portland Mayor and City Council  
From: Beth Gilden, City of Portland Resident  
Date: 11/22/16  
Subject: Home Energy Score Policy

I am writing in support of the home energy score policy. My partner and I purchased our first home in 2014 and energy efficiency was one of the most important features we looked for in a new home. It was important to us both because we care about sustainability, and more efficient homes cost less to operate over time. With some understanding of green buildings and home energy efficiency, we were aware of the different factors that contribute to energy efficiency—the building envelope, the furnace type, size of home etc.; but without information like that proposed by this policy it was really down to a guess as to how our home would perform. This information could have helped us make a better decision for ourselves and the environment.

In addition to my personal desire to see the home energy score policy in place; I see this as an essential part of making Portland a more sustainable city. Buildings are one of the largest contributors to greenhouse gas emissions in our region. I understand that the city is limited in terms of their ability to require energy efficiency standards. The home energy score policy is a step in the right direction towards building more efficient buildings that ensure reduce our impact on climate change and air quality.

Thank you for considering this letter.

Sincerely,  
  
Beth Gilden  
106 N Jessup, Portland, OR 97217



TERRY PARKER  
P.O. BOX 13503  
PORTLAND, OREGON 97213-0503

188143

**Subject: Testimony to the Portland City Council on the proposed Home Energy Score, November 23, 2016**

As we all know, the City genuinely conveys it's appreciation when the Federal government or the state passes legislation that includes unfunded mandates. Sarcasm aside, that is just what you are proposing here for people that for whatever reason are selling their homes.

Just like with a new car or appliance, it makes sense to require a Home Energy Audit or Score on a new house that can be provided by the builder. As a business, the builder would likely be able to claim a tax deduction for the inspection fee.

However, just like when purchasing a used car where the fuel consumption can vary from the original mileage sticker, or a used appliance that has no sticker, any home energy scoring responsibility for previously lived in homes needs to be the responsibility of the purchaser as opposed to the selling homeowner(s).

Most banks require an inspection of the property to get a loan. Any energy scoring system should be part of that inspection, not something separate and not a dictatorial unfunded mandate assessed on the homeowner-seller. If the City Council chooses to become a dictator in this realm, the City also needs to cover the costs to individuals and families for any associated fee that comes with the mandate. If the buyers of previously lived in homes are responsible for the inspection fee, recouping the money from the City can be done by allowing the same amount to be deducted from the property taxes following the purchase.

Finally, Something to think about as it relates to the politics. What is being proposed here is yet another government dictatorial mandate and government required fee that will hit people with modest middle class incomes the hardest - the blue collar workers who see their jobs going away, their incomes not keeping up with inflation and taxes, fear the trend for more government regulation and fees continuing, and therefore voted for Trump. The flip side includes the upper middle class and high income privileged that want to exercise their control over other people and for whom another fee would be insignificant, along with those who live primarily on government paid entitlements for which such a home energy score could possibly be waved, and voted for Hillary. The bottom line problem here is a growing number of people that are being squeezed in between the bread of the sandwich, including senior citizens on fixed incomes, that feel their views are no longer represented in government and therefore want a change in the current direction.

Respectively submitted,

Terry Parker  
Northeast Portland

TO: Portland City Council

FR: Tim Miller, CEO, Enhabit

**RE: Support for Home Energy Score Policy**

Good morning Mayor and Commissioners.

My name is Tim Miller and I lead a non-profit organization called Enhabit. We help people transform their homes into more efficient, resilient, and healthy places to live.

Enhabit **strongly supports** the proposed policy. It is a smart **information and education** policy – that will equip the **market to motivate smart investments** and thus dramatically improve our **progress on climate goals**.

Enhabit also strongly supports this policy for the co-benefits that come with efficiency upgrades – from **making homes healthier, to creating living wage, equitable jobs** doing this good local work.

But I'm also here due to a **personal experience**. At Enhabit, we provide homeowners with good information for good decisions. So I was troubled to read **bad information** being shared on my neighborhood's 'Next Door' online discussion group – and posted in 11 other neighborhoods – leading people to **misconceptions**, and raising **misguided fears** about this policy.

Under an alarming ALL CAPS title about 'PROPERTY RIGHTS' the message said:

"The bill is being **pushed through with laser speed**, and will impose fees and possibly **require costly repairs ... to comply with arbitrary standards**. The **Oregon Association of Realtors** and **your local Portland Metropolitan Association of Realtors** have **spent thousands of dollars in our attempt to inform the public...**"

There are at least **three** clear misconceptions **promoted** in this message.

1. Was this **"pushed through with laser speed"**?

**NO.** The idea is **several years** old, and the Bureau has been working on it for a long time. That work led to a multi-industry feedback session (for realtors, listing services, efficiency experts, and others) back in **May**. Then there was a **public** feedback session in **September**. And draft versions were posted for public comment over the months. **So, this policy is definitely not being 'rushed through.'**

2. Would this **"require costly repairs"**?

**NO.** Nothing in this policy would require any upgrades to any home.

3. Does this policy use any **"arbitrary standards"**?

**NO.** The policy uses a **nationally accepted standard** (created by the US DOE) for scoring homes – with further improvements **established in a carefully crafted Oregon state law**. It is **anything but arbitrary**.

Naturally, these **misconceptions** created concerns. And this language was connected directly to an **online petition** that I imagine spurred a lot of misdirected responses, and it likely prompted many of the concerned people we will hear from today.

The **incorrect** information continued by saying that the **typical home inspection provides the same information as these energy assessments**. **That is incorrect**. Inspections **do not** include many important **efficiency issues**, and they are **not conducted by energy experts**.

So, this policy ...

- Was NOT rushed through
- Does NOT require upgrades
- Does NOT involve arbitrary standards
- And is NOT the same information a buyer would get from an inspection

This policy should **not be stopped by misinformation or misconceptions**.

For the sake of **efficiency** and **continued progress** toward **housing affordability** and **stability**, I **urge you to support this home energy scoring policy**.

**Good morning Mayor Hales and Commissioners.**

My name is Ashley Henry. I am the owner of a duplex in SE Portland that was constructed in 1910. I moved in Thanksgiving weekend 12 years ago and was an early adopter of services and incentives provided through the Energy Trust of Oregon. In the first couple years of owning my home, I took advantage of incentives to make improvements including a high-efficiency furnace and extensive insulation in the walls and attic. The estimated savings on gas and electric bills over the last 12 years alone comes to over \$6000 which is a benefit not only for me personally but also for my upstairs tenants who enjoy lower energy bills thanks to the great insulation that was installed for the upstairs apartment.

I am a supporter of the proposed Home Energy Score ordinance because it would allow me to understand how my home is performing

and will give me the chance to recoup the value of my investments when I sell my home. Even PMAR knows that buyers are interested in energy efficiency. *In their own 2013 study, the Portland Metropolitan Association of Realtors found that a majority of homeowners wanted to know more about their home's energy use AND the majority indicated that they would pay at least a 5% premium for a higher-efficiency home.*

I'll admit that I was fortunate to have the resources to make the upfront investments, and I understand that there are concerns that the fee for getting a Home Energy Score could pose a financial burden for low- and moderate-income homeowners. I'm so glad that this policy proposes a variety of exemptions to protect vulnerable sellers, including seniors and people with disabilities. In addition, the policy will also give the Director at BPS the discretion to waive the requirements in cases that would cause undue hardship for the seller.

It's noteworthy that I initiated this kind of climate protection action under a Bush administration when we did not have leadership at the federal level. Energy savings and climate protection can and must be taken regardless of who is in the White House.

E. Ashley Henry  
E. Ashley Henry  
2321 SE 30th Ave.  
Portland, OR 97214

**For the Record, my name is Michele Gila, I'm a SE Portland resident and I own and operate a residential real estate company, Roots Realty.**

**I Support Portland's climate goals but they cannot be achieved with this mandate. An average of 6% of Portland's residential units transact annually; many homes don't transact in a lifetime. Of the average of 6% that do, many are for sale multiple times in a decade. The math of improving the efficiency of all homes in Portland doesn't add up. I haven't actually seen what math was used, if any.**

**If 60% of our homes were built prior to 1960\*, let's all agree we have a housing supply that would not be considered highly efficient. I'd like the City to work in partnership to incentivize home owners to make changes along the way to make all of our inventory more efficient. Do more to promote the tools and support through Energy Trust of Oregon and other industry professionals. In a letter \*\* from the Chair of the Planning and Sustainability Commission concerns are raised about the proposal and discussion amongst the Commissioners revealed the suggestion to pilot and educate homeowners about scores before making them mandatory.**

**This mandate is unnecessary. A score does not equal efficiency. We are getting the basics at a home inspection. Home inspectors routinely point out age and condition of mechanicals, identify insulation and its R-factor and if it was installed correctly and how to fix that if it was not. We talk about windows and doors and gaps. In 21 years of primarily working with Portland's first time home buyers, we cover much of this during the diligence period. I believe home buyers have a firm understanding that their old home is**

**going to need significant improvements to get it to any state of improved efficiency. They have the option of having an audit done, but most stick to health and safety issues when negotiating. As do the lenders. We're still trying to make homes safe & habitable. We're still trying to mitigate lead paint and lead in the water and radon and carbon monoxide. We're still trying to get heat into all bedrooms. We're still trying to fix Portland's aging sewer system. That's where the money is being spent by the home owner. Above that is bonus points. Interestingly only 2% of homes have had energy audits. Could this indicate a lack of usefulness?**

**Please. Stop calling it buyer or seller. Remove this mandate from a real estate transaction all together. Incentivize a home owner, no matter if they are selling or not. Despite the Impact Statement indicating this is necessary, you're still linking it to the transaction. An already costly and incredibly complicated transaction. Call it the home owner or the housing unit. Separate this entirely from the transaction. By calling this a pre-listing mandate or a post-sale mandate, you are tying it to the transaction.**

**Home buyers are usually financially stretching to buy—or a seller often needs every penny (yes, even this real estate bubble shall pass)—A homeowner's financial position should not be posted to the public. If a home owner is under financial duress, having them jump through hoops the City poses not only presents another barrier to getting their home on the market, but that exemption is now public, exposing them to great risk. People take advantage of poverty. The goal should be focused on efficiency not on testing. Help the homeowner plan for and make necessary, long lasting changes.**



**I'm a professional Realtor who supports climate action goals. I sat on the stakeholder committee under Mayor Adams when we first reviewed this action. If we are to leave a legacy, let it be real and effective change through quality leadership and cooperation.**

**I resent deeply the Impact Statement where it indicates Realtors provided input. The way it's stacked, it would appear that our discussions had us in agreement with this mandate. We tried meeting. We want to collaborate. We support climate goals. We'd love to work out solutions to getting our inventory of homes safe and efficient. A mandate like this does not meet that goal. I sat on the stakeholder committee under Mayor Adams for nearly 2 years. We did not reach a conclusion then and I don't see that anything has changed since, making this now a great idea. The only thing that is now different is that we have a Mayor leaving office and a desire to give him a "legacy vote". That is not pride for Portland.**

**I ask you to vote NO to the proposed pre-listing mandate.  
Thank you.**

\* Portland Plan Housing Supply Background Report, page 16 of 26  
<http://www.portlandonline.com/portlandplan/?a=373234&>

\*\* Letter from Katherine Schultz, Chairperson for Portland Planning & Sustainability Committee to Portland City Council, dated November 3, 2016.

Thank you for the opportunity to speak this morning. While I'm here to voice my opposition to the proposed mandate, I want to be 100% clear that I support the concept of the 2015 Climate Action Plan, believe that Portland can be a leader in reducing carbon emissions – and meet its 2050 goals to reduce by 80%.

A number of years ago, as the homeowner of an older home in Mt. Tabor, I went through the Clean Energy Works program. It was an excellent process, and I became a vocal champion with my clients who owned older homes. Realtors educate consumers on a wide array of issues relating to owning a home, and recent studies by the National Association of Realtors confirm that in an era of online information overload, consumer reliance on us for advice remains at an all-time high. Through collaboration with our industry, we can effect excellent change – not through mandates and restrictions on the free transfer of property.

To place a restriction, we need to set a very high bar. Because existing plans haven't worked isn't enough. We have to demonstrate that every effort was made through that plan – through funding and outreach. This has not been attempted sufficiently.

Our industry has done an excellent job educating the consumer when it's in their best interest. Home inspections are now commonplace. In cities like Portland, sewer line inspections are now the norm; we want our clients protected. More recently, radon inspections have now become standard of practice in many to most transactions. Why? Not because the health department mandated the inspection. But because consumer outreach and education works. We are the trusted advisors in the transactions, and as regulations have made deals more and more complex – we are trusted more.

**A troubling premise with this whole proposal is that consumers, without additional bureaucracy, doesn't see the value or importance of energy efficiency on its own. That's false. Consumers are rational.** They know when they are buying an older home they will have to make improvements and updates. But we are in an environment of housing scarcity, which by every estimation, will remain in Portland for some time. Our pocketbooks are stretched just to buy the home! Due to high home prices, buyers who buy older, non-updated homes typically can make improvements as their pocketbooks allow – one project at a time. An energy audit will have no practical effect. Conversely, older homes with energy

efficient updates will be marketed accordingly (no seller will forget to emphasize the money they spent on updates) – and buyers who can afford to will pay a top dollar premium; we all KNOW the value of efficiency and are making strides to the best of our ability. After the first incremental change, the score is immaterial. For this reason alone, the score should never be placed on public facing sites like portlandmaps.com. Others will use that data, such as appraisers or Realtors looking to complete market analyses, but it will be wholly unreliable data and valuations will be skewed. And with the income exception in the proposal, the city would be making sellers tell the world on portlandmaps.com personal information about their income that has no business on a public facing website.

I strongly urge you to listen to everyday practitioners who can share real-world “unintended consequences” horror stories. Using our appraisal crisis as an example, this could translate into the energy audit process. We currently have a shortage of appraisers, and in all likelihood this will remain for years. So it has become a pay to play environment, where buyers who are willing to pay a huge premium will move up in line (\$1,000 surcharges have become commonplace), and those who cannot pay wait months – literally. Transactions are consistently delayed. As we all know our business is cyclical, it’s very realistic to envision that during peak times, those who can pony up more money will get their audit performed more quickly. Sellers who cannot pay surcharge pricing will have to wait. This is not chicken-little sky is falling kind of talk. This is the world that buyers and sellers are dealing with every day. When we come to you with unintended consequences scenarios that have lenders, title and escrow, appraisers, and Realtors ALL in agreement, I implore you to listen. We don’t always align on issues, and the fact that we have, should resonate.

Again, I agree the goals to reduce carbon emissions are essential – but the mandating approach as proposed is an unnecessary barrier. And with all due respect, it reads more a feel good measure that doesn’t set metrics for accountability. It criticizes the free market prior attempts for not doing enough, yet relies on that same free market to then act in the right direction simply by providing a score. Quite frankly, I’m left scratching my head. We can do better, and I encourage you to vote NO.

## Testimony to Portland Oregon City Council

11/23/2016

Regarding: Energy Performance Scores in Portland as a requirement of sale.

My name is Cynthia Chase. I've been a Real Estate Broker in Portland Oregon for 18 years. My primary business is residential and my primary business area is the city of Portland where I also reside and own rental properties.

I have been active on the Sustainability Committee of the Portland Metropolitan Association of Realtors over the last couple of years. I am not a climate change denier. I believe in making properties more energy efficient and have systemically done that on the property we live in and the properties we operate as rentals. I often recommend energy upgrades to buyers as they look at properties. I never have recommended energy efficient upgrades to sellers as I know they are looking to sell and that those upgrades will not directly benefit them.

I do not see requiring sellers to provide an Energy Score to buyers as a part of sale as a good idea. A new property owner is very often not in the position to do energy upgrades at the beginning of their tenure in the property. These reports may well be shelved until later (as in much later in the home ownership process) and may well need updating which means more cost to a new property owner.

Instead, I propose that the city work on these very admirable goals in different ways and I have a few suggestions for that.

1. Instead of a requirement for sellers, why not approach buyers as new homeowners with education and incentives after the sale is closed?
2. Why not help current homeowners complete energy upgrades? I would especially like to see us focus on our elderly low income homeowners who pay energy bills on drafty houses. Why not focus more resources on helping them?
3. New homeowners and long time homeowners often struggle with wanting to have good looking yards and not using chemicals. We could help them by offering more education and again some incentives for doing more sustainable gardening which can include growing fruits and vegetables and using more natives in our landscaping. Several organizations exist to further these goals (including Master Gardeners through the OSU Extension Service) and partnering with them to reduce greenhouse gases through gardening would be a positive change for our city.
4. Here's an out of the box suggestion: Why not ban gasoline powered leaf blowers in the city reducing pollution and noise all at the same time? This time of year it is an especial apropos idea to improve our city.

Let's not get stuck in 1 way of thinking to solve these problems. Adding an energy score in a real estate transaction seems easy and helpful to some but I'm not one of them. If it is mandated, real estate brokers will work with our sellers to do it but I don't think it's going to produce the change you hope.

Respectfully submitted.

Cynthia Chase  
Real Estate Broker  
Windermere Stellar  
503.267.8326  
cynthiac@windermere.com



**Testimony of Kerri Hartnett  
2017 PMAR President  
Before the Portland City Council  
Home Energy Score Policy**

**November 23, 2016**

For the record: my name is Kerri Hartnett, 2017 President of the Portland Metropolitan Association of Realtors® (PMAR) located at 150 SW Harrison Street, Suite 200, Portland, Oregon 97201. I serve on the National Association of REALTORS® Green Designation Advisory Board and hold the Earth Advantage and S.T.A.R. designations. I have been a REALTOR® for more than 12-years and am a home owner in Northeast Portland.

I am offering this testimony in opposition to the pre-listing Home Energy Score proposal on behalf of PMAR's 8,000 members. In the audience today are Association members who support my remarks and who encourage you to reject the pre-listing mandate.

We support the City's goal of reducing energy use and carbon emissions, but not through the pre-listing requirement before you. It is unnecessary, costly and intrusive.

Every day, home sellers struggle to sell what is often their largest financial asset. Home buyers are stretching to make the down payment and closing costs. If the City adopts the proposed mandate, you will be adding an additional burden to the seller—and in some circumstances the buyer—unnecessarily. The information an asset based energy audit provides is similar information available through most home inspections.

The proposal requires sellers to pay for an energy score audit before they can list their home—their private property—for sale and to provide the score to the City for posting on a public website—such as portlandmaps.com—where it can be viewed by anyone whether they are considering buying the home or not. This is intrusive. In addition, by publically posting the score the thirty-five percent of Portland's single family homes built before 1940 will be disadvantaged because of a score that will be lower than a newer property.

The City does offer to grant exemptions from the audit for some home sellers, but waiting on such an exemption can adversely delay and hamper the sale of property and cause unnecessary stress. Not every home seller is in a financial situation where they can wait for the City's director to take action. If the exemption is granted, the responsibility for paying for the energy audit is shifted to the buyer who may or may not have the funds to pay for the audit. The City will have to create—and fund—the bureaucracy to track the buyer to ensure compliance or the granting of an exemption within 4-months. If the audit isn't performed and there was no exemption, fines are levied. Realtors® see it all the time where the buyer has spent every dollar they have to get into the house. They do not have the funds for the piece of paper that is the energy score report.

If the City's goal is to reduce carbon emissions, I encourage you to incentivize homeowners to make energy efficiency improvements to their property rather than mandating an unnecessary and costly home energy score audit and levying fines for non-compliance.

On behalf of PMAR's members, I encourage you to reject the proposal before you.  
Thank you for this opportunity to testify. I am available to answer questions.

Hello Mayor Hales and Commissioners. My name is Bill Hoelzer. My wife and I bought our home in SE Portland back in 2010, before I started working in the home performance industry.

Our home inspector called out relatively minor issues, like loose flashing on the roof. He noted that our major appliances were in good working order but said almost nothing about the efficiency or performance of the home.

During our first winter, we noticed some serious comfort issues, particularly upstairs. We had an energy audit and learned that we had no attic insulation, no wall insulation, and no insulation below our home. We weatherized the home and replaced our inefficient water heater - This made things much more comfortable and reduced our energy bills significantly.

Had this policy been in place when my wife and I bought our home, we could have included Home Energy Score's in our home purchase calculus. And assuming that we chose the same house, we would have know its energy deficiencies and factored the energy cost estimates into our monthly budget.

Please pass the home Energy Score policy. Thank you for this opportunity.

Testimony

188143

Hello Mayor Hales and Commissioners. My name is Bill Hoelzer. My wife and I bought our home in SE Portland back in 2010, ~~before I started working in the home performance industry.~~

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Had this policy been in place when my wife and I bought our home, we could have included the Home Energy Score in our home purchase calculus. And assuming that we chose the same house, we would have known its energy deficiencies and factored the energy cost estimates into our monthly budget.

Please pass the Home Energy Score policy. Thank you for this opportunity.

Good morning. My name is Jana Gastellum. I am the Climate Program Director at the Oregon Environmental Council. I am also a Portland resident and I urge your support for the Home Energy Score Policy.

Three and half years ago, my husband and I were ready to buy our first home. My two highest priorities were keeping our monthly payment down—we were also paying childcare expenses—and our climate impact.

Buying a home taught me three important lessons.

**Lesson 1: Voluntary measures don't work.**

We looked at a lot of houses and when we finally found one we could make an offer on, I asked my realtor if we could ask about a home energy performance score. Despite being very sympathetic, he told me, "We can't ask. It will make our offer less competitive." Even with a client and realtor who both believe in home energy scoring, under the status quo, information is still very hard to come by.

**Lesson 2: Asset ratings provide good, quality information that benefit both homebuyers and realtors.**

I at least wanted to know estimates for what the monthly energy costs would be, so I called the utilities, sat on hold, and finally got someone to tell me a range of costs. The trouble was we had no idea whether these cost estimates were based on occupant use or the actual building performance. If we walked away from a home because the energy costs were uncertain or artificially high because of occupant use, that wouldn't have been good for our realtor. And if those estimates were low and we faced higher costs, that would put a strain on our family budget.

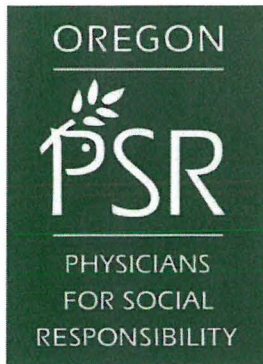
**Lesson 3: A critical window of opportunity for making energy efficiency improvements that benefit the climate is missed without a mandatory policy.**

The home we did buy had sky-high radon readings. We couldn't move in until a radon mitigation system was installed. We had a contractor come and if we'd had a list of ready-to-go energy efficiency measures, we might have also been able to do those at the same time. But due to time and "competitiveness" pressures, we couldn't do an energy assessment during the process.

So, for the climate and for good consumer information, I urge your strong support for this policy. Thank you.

Jana Gastellum  
Oregon Environmental Council  
[janag@oeconline.org](mailto:janag@oeconline.org)  
503-222-1963 x. 107





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Comments on the Proposed Amendment to the City Code:  
Chapter 17.108 Residential Energy Performance Rating  
Disclosure. 11-23-10

Good Morning Mayor and Commissioners:

I am Dr. Theodora Tsongas. I am speaking today on behalf of Oregon Physicians for Social Responsibility. We support the proposed amendment to the City Code to add Chapter 17.108: Residential Energy Performance Rating Disclosure. This action by the City of Portland will help the City meet its objectives to reduce carbon emissions by 80% below 1990 levels by 2050 and to reduce energy use of all buildings built before 2010 by 25 percent.

We support this because it is a common sense part of the package of actions we must take to meet objectives of the Climate Action Plan and other city resolutions. If we are to address the contributions of buildings to carbon emissions, we must include residences. This is a good way for people to understand and address their own personal impact on carbon emissions.

We supported the climate action plan and this amendment is consistent with that. It may be a difficult transition, but it is a necessary one if we are to do as much as we can to reduce the serious and imminent impacts of climate change.

Climate disruption is the most important issue facing humanity. We need to do our part to reduce our contributions to it. The impacts of climate change will be felt first by the most vulnerable, including communities of color, children, and the elderly, and it will be felt by everyone far sooner than we think. Our children are deeply aware of the threat to their lives and the global ecosystem that supports us all. We are taking steps in other areas to reduce carbon emissions to meet our climate action objectives. This is one of the domains we must add in order to take responsibility for and reduce our own impacts on climate change.

Oregon Physicians for Social Responsibility supports this amendment to the City Code.

Thank you for this opportunity to comment.

Theodora Tsongas, PhD, MS  
Oregon Physicians for Social Responsibility





Oregon Sierra Club

1 8 8 1 4 3

**SIERRA  
CLUB**  
FOUNDED 1892

1821 SE Ankeny St • Portland, Oregon 97214  
Main: 503-238-0442 • Fax: 503-238-6281

## **Endorsement: The Home Energy Score Information Program**

November 23, 2016

### **To the Portland City Council:**

Oregon Sierra Club endorses the Home Energy Score information program, and urges speedy approval of the proposed ordinance (Agenda Item 1298).

We especially appreciate the efforts that the Bureau of Planning & Sustainability (BPS) has made toward transparency and equity for low-income households to date, in developing this information program, and we are confident that BPS will continue those efforts going forward.

As BPS has noted in their first-class staff work, it is especially important for people who may be struggling with utility bills to have the information necessary to understand every aspect of home energy use cost and options to improve home comfort. The Home Energy Score information program is a vital first step toward true transparency and equity.

Similarly, it is especially important for those of us in the Portland community who care about both the need to reduce energy use and fossil fuel emissions, and the need to support those struggling in this difficult economy, to look for opportunities to go further. The Portland community needs to build quickly on the Home Energy Score information program to support residential energy efficiency and energy conservation for all, but especially for low-income homes and rental units. We look forward to standing with BPS and the City Council in supporting such efforts.

It is also fair to characterize the Home Energy Score information program as an enhanced jobs program of the best sort. The good jobs needed to strengthen home energy efficiency, energy conservation, and comfort can be strong contributors to our economic base – and there is plenty of this work that needs to be done.

We understand that there are concerns about the Home Energy Score information program potentially slowing down the action in Portland housing market. We are confident that the market will respond quickly to this sensible information program. Training new energy auditors to conduct these simple baseline one-hour audits properly is not the same thing as the extensive training and certifications needed for new residential appraisers, for example. Claiming that would be a false equivalency – just like artificially conflating this low-cost, high value information program with Portland’s challenges in affordable housing.

Rather, the Home Energy Score information program actually strengthens the housing market. In the current economy, energy costs and sources matter in ways that they did not in prior decades. Every potential homebuyer should automatically have the right to basic information that the Home Energy Score information program will provide.

The decision to sell a home is rarely made urgently; typically, sellers plan their sale for a period of time. In the vast majority of cases, including the Home Energy Score information program is a simple additional step that responsible sellers can – and should – easily include. It ties directly to utility costs, already a standard evaluation factor in the housing market. In fact, it is not unfair to ask why residential appraisers have not already required that this type of information program be included in the data needed for their evaluations.

Still, it is true that some sales are urgent, and sellers could suffer from even a small additional delay. In these cases, we applaud the provisions that BPS has proposed for eight specific types of exemptions and three specific types of low-income seller deferrals. In addition, both the exemption and deferral programs are bolstered by the proposal that the Director may grant an exemption or deferral in special circumstances. That is a very sensible way for the City to provide for any changing or unanticipated conditions.

As we and many others have testified over the past several years, we **all** face an unprecedented crisis in the climate disruption that we are already seeing as a result of global warming. It is vital that every enterprise and every citizen work urgently to deal with this emergency. The Home Energy Score information program is a critically-important tool for this piece of Portland’s leading-edge evolution toward greater climate and social justice.

Thank you for your consideration.

Ted Gleichman, Policy Advisor, *Beyond Gas & Oil Team*  
ted.gleichman@oregon.sierraclub.org



## Please Pass the Home Energy Score Ordinance

November 23<sup>rd</sup>, 2016

Mayor Hales and Commissioners.

I am Don MacOdrum, and I am here as the Executive Director of the Home Performance Guild of Oregon – Oregon's residential energy efficiency trade association.

We strongly support the Home Energy Score Policy as two-tiered strategy to both insert energy costs into home purchase considerations and to provide new homeowners with information about their homes' energy deficiencies at a time when they are most highly to invest major remodels – in the first 3 months they are in the home.

I would also like to state my great appreciation and respect for Bureau of Planning and Sustainability Staff – particularly Andria Jacob and Kyle Deisner who have masterfully crafted this policy. It borrows from the learning's of my industry from the past 20 years, as well as Energy Trust of Oregon voluntary pilots, national disclosure policies from around the world, and city level mandatory pilots in Austin and Berkeley. It has also been deftly shaped to reflect the input from homeowners and stakeholders who were consulted in the policy's design.

And I would be remiss if I did not clarify that Portland has well more than enough qualified professionals to perform to serve the capacity this policy would create. If we use the City's number of 14,272 annual listings, we would only need 25 FTE's during peak periods like the summer, and half that during regular periods. If treat the realtors number of 37,000 annual listings as anything other than fear mongering and hyperbole, we would only need 71 FTE's during peak periods like the summer, and half that during regular periods. To ably serve that capacity, we currently have 55 active home energy raters, and between 20-50 additional qualified professionals that are ready to lean into this opportunity materialize.

Oregon's Home Performance industry has worked productively with the Oregon Department of Energy, the Construction Contractors Board, and Oregon's broader energy efficiency sector for the past 3 years to ensure that the energy auditors working in your program are state certified professionals, deploying state certified Home Energy Scores, as per HB2801.

Lastly, this policy may have the single largest effect on increasing the Energy Literacy of the general public than any other legislation or education campaign imaginable. That unto itself should be a defining motivator.

Please support passage of the Home Energy Score Ordinance as proposed by the City of Portland's Bureau of Planning & Sustainability. Portlanders have a right to know.

Thank You!

Regards,  
Don MacOdrum, Executive Director  
**Home Performance Guild of Oregon**  
don@hpguild.org | 503-754-5403

Peter Tofalvi  
Co-owner Abacus Energy Solutions, LLC

188143

According to the International Energy Agency, "Energy Performance certification is a key policy instrument that can assist governments in reducing energy consumption in buildings". With such certification decision-makers both in government and on the market get objective information. Just like the miles per gallon sticker on a car, an energy performance score would tell a buyer how much it will cost to operate the house in the next 5 years. It would motivate homeowners to invest in efficiency, and hopefully include advice on what they could improve on.

The opposition from real estate professionals is short-sighted. They focus on the added cost and forget the benefit to them: this will be one more way to differentiate their buildings on the market; one more way to create and advertise variety in their offerings. To create excitement about features and benefits and to establish different price-points. Variety is good for sales. This is why real estate agents on the East Coast embraced the Energy Performance Score after their initial opposition.

The council does not need to decide whether to favor the weatherization industry or the real estate folks. Energy scores will serve both industries, as well as the general public. With a climate-change denier in the White House the city needs to step up.

- Buyers do not know what they are getting into (my own house).
  - o prior heating bills are not available
  - o inspectors are not trained in how the energy-related systems work together & do not include such info

11/23/16

AUDITOR 11/23/16 PM12:53

Good morning. Thank you Mayor and Commissioners for this opportunity to provide input. My name is Faith Graham. I am a NW native and have lived in Portland for the past 15 years. I am a real estate development and finance attorney by training and currently run MPower, a company that helps affordable housing owners make smart efficiency and renewable power investments. While I could carry on at length from an investment perspective on why this Home Energy Score makes good business sense for Portland- for **all** existing and prospective homeowners regardless of income- I am here today as an individual homeowner and a concerned citizen.

This past summer I dove into the inferno that is the Portland real estate market looking for a new home for my recently expanded family. Trying to figure out how much house I could afford was difficult because monthly housing costs are not just mortgage payments and taxes but also utility costs. That is true even for those of us with experience in energy efficiency. And unlike mortgage rates and property taxes- it's hard to judge what utility expenses are likely to be for any given house. Many factors that make a house energy efficient are hidden- like insulation- or complicated, like heating and ventilation systems. Without a score it is hard to compare homes.

From a seller's perspective too an energy report card is extremely valuable—especially if everyone is required to provide it. It helps you shine a light on those smart upgrades you made that will mean greater comfort and housing affordability for the next family.

And then of course there is planet health to consider. Climate Change is the single most urgent threat to life as we know it and we **ALL** have a responsibility to take action. Especially now. Portland's Climate Action Plan is my action plan as well and I take it seriously. To move the needle, everyone needs a way to participate in the solution. Home Energy Scores are a small step in the grand scheme but an important contribution that Portland homeowners can make to curb climate change despite the theatrics taking place in national politics.

I whole-heartedly support adoption of a Home Energy Performance requirement in Portland. Please Portland- lead again! Thank you.

Happy Thanksgiving.

Faith Graham, 2223 NE 43<sup>rd</sup>., Portland, OR 97213

11/23/16

AUDITOR 11/23/16 PM12:54

188143

Hello. Thank you Mr. Mayor and councilors. My name is Weibly Bowles. In November 2008, I took advantage of the Earth Advantage Energy Performance Score (EPS) pilot and have since reduced my family's energy use by over half. However, if we are not careful, our energy use can double due to the increased heating and cooling demands as a result of global climate change.

Now is the time to implement the Home Energy Score Ordinance because Portland, more than other cities, is taking on its fair share of climate refugees from places like California and New York. The new residents purchasing homes should know what to expect for their own budgeting purposes, just as they do with ENERGY STAR appliance scores and miles per gallon rating on automobiles.

When we first purchased our home I sought out ETO and Portland Water Bureau for efficiency opportunities. I jumped into the Earth Advantage ESP pilot because knowledge gave me power over our monthly budget. Even though our income sat right at the average medium income, we were living month to month and one high bill could really hurt us. With the ESP in one hand and my home audit report in the other, we were able to make improvements to our house which has led to a 50% reduction in energy use. If everyone took one small step forward, we could have a big impact in fighting climate change, but it's going to take all of us.

Portland use to be a leader in green building and efficiency, this ordinance gives us an opportunity to be on the forefront again and I really hope this ordinance passes for our future's sake.

Thank you.

Weibly Bowles  
8414 N. Peninsular Ave. 97217

**Parsons, Susan**

---

**From:** Alexander Boetzel <alex@greenhammer.com>  
**Sent:** Tuesday, November 22, 2016 7:36 PM  
**To:** Council Clerk – Testimony  
**Subject:** Home Energy Score Ordinance

Dear Council Members,

My name is Alex Boetzel and I'm with Green Hammer, a Portland-based design-build firm, and I would like to testify in support of the proposed Home Energy Score Ordinance.

There are of course obvious environmental benefits to a Home Energy Score and the opportunity for home buyers to select a more efficient home, with a lower environmental footprint. But I would like to use this opportunity to emphasize other benefit of the score.

Purchasing a home for the average home buyer is the largest investment they will ever undertake and it is vital that home owners receive the most comprehensive information about the new home they are considering for their family, in order to make the most informed decision.

Again, buying a home constitutes for most people a tremendous investment, and home buyers - as well as home owners - should have the right to understand the energy use of their current home or the home considered for purchase and how it compares to other homes - in the neighborhood, the market or the city as a whole.

Currently, when considering a home, the buyer will make an offer, later on, he or she will order a home inspection and with both, will get a financial picture of what it will take to be able to call the new home their own.

What the prospective new home owner does not yet know, is, what it will cost to occupy the new home. What will costs (besides mortgage payments) amount to, for a given new home and how that cost compare to other, similar sized homes.

Furthermore, the additional information provided by the home energy score most likely - at least in conjunction with other information like, the home inspection report - will also tell a story about how well the home was built or what upgrades were undertaken.

Besides enabling home owners to understand energy use and what it might say about how well the home was build or retrofitted, in the current housing crises and ever-accelerating home prices, a mandatory Home Energy Score, can provide a home owner the understanding of utility cost associated with a home, that might just give him or her the necessary information to find the confidence in being able to actually effort the home.

Affordability is, for a very good reason, an important consideration in the current housing market and a Home Energy Score can help home owners better understand the true cost of homeownership.

In closing, I would like to add a note of caution regarding the proposed tool or tools to generate an energy score and express the energy use of homes. A simple to understand score - and ideally just one metric, to ensure an easy "apples-to-apples" comparison - will be vital to make this ordinance meaningful to every home owner.

But I am confident, that a refined, easy to understand and to compare and meaningful tool will emerge, sooner or later and I will conclude by voicing my strong support of this ordinance.

I am looking forward to testify regarding this matter at then hearing tomorrow.

Thanks you,

Alex Boetzel | COO | CPHC

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1323 SE 6th Avenue | Portland, Oregon 97214  
o 503-804-1746 ext 113 | f 503-232-7924



188143



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**Parsons, Susan**

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**From:** Ryan Shanahan <ryancshanahan@gmail.com>  
**Sent:** Tuesday, November 22, 2016 11:05 AM  
**To:** Council Clerk – Testimony  
**Subject:** Home Energy Scoring

I am writing in favor of this proposed legislation. As a Portland homeowner who recently purchased my first home I can say first hand how important I think quality information is towards influencing a buyer's decision making process.

I found it odd that many particulars about my personal debt to income ratio were included in the math when it came to determining how big my home loan might be, how particular the home inspection process was, and how particular the appraisal process was, considering how little information was recorded or presented regarding the energy efficiency of my home.

Allowing homes to be accurately assessed during the sale process allows that buyer to make a home purchase that aligns with their values around climate change and their personal impact similar to how a MPG rating can help them purchase an automobile.

This impending legislation will also help the city address it's own goals around lowering energy use and associated carbon release into the atmosphere. Homes with better energy efficiency will increase in value and homes that are lagging behind will be encouraged to follow suit simply to gain value regardless of political leanings. The best part is that benefits of lower carbon, cleaner air, and less environmental degradation are for all citizens to share.

Sincerely,  
-Ryan Shanahan



**Bureau of Planning and Sustainability**  
Innovation. Collaboration. Practical Solutions.

## Portland Planning and Sustainability Commission

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André Baugh, Vice Chair

Jeff Bachrach

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Eli Spevak

Teresa St Martin

Maggie Tallmadge

November 3, 2016

Mayor Hales and Portland City Commissioners  
Portland City Hall  
1211 SW 4<sup>th</sup> Avenue  
Portland, OR 97204

RE: Proposed Home Energy Score Policy

Mayor Hales and Commissioners:

I am writing to express the Planning and Sustainability Commission's support for the proposed home energy score policy on which Bureau of Planning and Sustainability staff briefed the Commission on October 11, 2016. The Commission voted 5-4 to recommend support for this policy when it comes before City Council on November 23, 2016. Please note that we did not take public testimony on this proposal, but we received written comments from interested parties and had a vigorous discussion among PSC members.

As a Commission, we are responsible for the stewardship of the City's Climate Action Plan. Requiring energy performance ratings for homes has been a high-priority action in the Climate Action Plan since 2009. A majority of the Commission endorsed the home energy score proposal as an important information policy that advances the City's goals to reduce carbon emissions from the residential sector and fills a critical gap in consumers' understanding and awareness of the full costs of owning a home.

Discussion among the Commissioners revealed some concerns about the proposal, including the suggestion to pilot and educate homeowners about home energy scores before making them mandatory; the perception that looking at past utility bills is sufficient for consumers to make decisions; and questions about whether it is the buyer or seller who is best positioned to make energy-efficiency improvements in the home as well as the difficulty of ensuring compliance for this mandatory reporting.

Thank you for considering our views.

Sincerely,

Katherine Schultz  
Chair



City of Portland, Oregon | Bureau of Planning and Sustainability | [www.portlandoregon.gov/bps](http://www.portlandoregon.gov/bps)  
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

**Diesner, Kyle**

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**Subject:** FW: ECAD research for the City of Portland

Hi Marti,

I've been doing residential mortgage loans since 2001. This year I'll probably close \$16M-17M in total loan volume - most of that in Austin and surrounding cities.

As a residential lender in Austin, TX. the ECAD ordinance has had no affect on my business as far as I can tell. So much so that, even though I remember the ordinance passing, I had no idea it was even being used. We don't require to even see it as a mortgage lender to clear UWing.

Let me know if you have any questions.

**Bill Holleman**  
**Sr. Loan Originator**  
**NMLS#: 184040**  
**PrimeLending, A PlainsCapital Company**  
1717 W. 6th St, Suite 340,  
Austin, TX 78703  
phone: 512-381-4782  
toll free: 866-563-0717  
e-fax: 866-217-2405  
bholleman@primelending.com

Apply online at:<http://www.billholleman.com>

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PrimeLending, A PlainsCapital Company NMLS # 13649, Equal Housing Lender.

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Diesner, Kyle

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**Subject:** FW: ECAD research for the City of Portland  
**Attachments:** image004.png

**From:** Marti Frank [mailto:martifrank@gmail.com]  
**Sent:** Friday, November 18, 2016 10:22 AM  
**To:** Diesner, Kyle <Kyle.Diesner@portlandoregon.gov>; Jacob, Andria <Andria.Jacob@portlandoregon.gov>  
**Subject:** Fwd: ECAD research for the City of Portland

Here's the last testimony from a lender. Please note she wants to remain anonymous. She is also one of the top 10 lenders as listed by Yelp.

Marti

----- Forwarded message -----

**From:** [REDACTED]  
**Date:** Fri, Nov 18, 2016 at 10:15 AM  
**Subject:** RE: ECAD research for the City of Portland  
**To:** Marti Frank <martifrank@gmail.com>

Hi Marti

Per your questions below:

- 1) your experience as a residential lender in Austin and - I have been a residential mortgage lender in Austin for 15.5 years and 90% of my business is focused here in Austin and the surrounding area
- 2) the impact (or lack thereof) of the ECAD ordinance on your work as a mortgage lender- ECAD has had virtually no impact on our end. If anything, I may have recalled 1 loan where our process was delayed due to the buyer wanting to see the results of this before proceeding with the loan, but out of an average of 80-100 loans done annually by me, I can only think of this one example. This ECAD doesn't really come up anywhere, and we are located in an area where a lot of homes would fall into the required audit.

I would prefer my name to remain confidential. ☺

Thank you!

Diesner, Kyle

---

**Subject:** FW: ECAD research for the City of Portland

----- Forwarded message -----

From: Leahy, Ryan <[ryan@leahylending.com](mailto:ryan@leahylending.com)>  
Date: Fri, Nov 18, 2016 at 7:00 AM  
Subject: RE: ECAD research for the City of Portland  
To: Marti Frank <[martifrank@gmail.com](mailto:martifrank@gmail.com)>

Marti,

My team has not experienced lending hold ups or issues that have been communicated to us (that I am aware of) due to the energy audit that is required for resale homes.

Good luck with your project!

Ryan Earl Leahy, CMPS, CDLP

Leahy Lending Team

Cornerstone Home Lending, Inc.

2600 Via Fortuna #330

Austin, Texas 78746

Work: 512.380.1921

Fax: 866.422.8815

[Ryan@LeahyLending.com](mailto:Ryan@LeahyLending.com)

NMLS #209010

Visit our website at [www.LeahyLending.com](http://www.LeahyLending.com)

**Parsons, Susan**

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**From:** Anderson, Susan  
**Sent:** Monday, November 21, 2016 8:30 PM  
**To:** City Elected Officials  
**Cc:** Moore-Love, Karla; Parsons, Susan; Armstrong, Michael  
**Subject:** Fw: Testimony - Home Energy Score

Mayor and Commissioners,

Please see the below testimony from Mike Lindberg regarding the Home Energy Score proposal.

thank you,  
Susan

Susan Anderson  
Director  
City of Portland  
Bureau of Planning and Sustainability  
[www.portlandoregon.gov/bps](http://www.portlandoregon.gov/bps)

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To help ensure equal access to City programs, services and activities, the City of Portland will provide translation, reasonably modify policies/procedures and provide auxiliary aids/services/alternative formats to persons with disabilities. For accommodations, translations, complaints, and additional information, contact me, City TTY 503-823-6868, or use Oregon Relay Service: 711.  
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**From:** Mike Lindberg <lindbergmc@comcast.net>  
**Sent:** Monday, November 21, 2016 6:49 PM  
**To:** Anderson, Susan  
**Subject:** Testimony - Home Energy Score

Dear Mayor Hales and City Commissioners:

I am writing to show my support for the proposed Home Energy Score policy.

As you know, I have always been a vocal proponent of Portland's efforts to promote energy efficiency and renewable energy. We contemplated an action just like this in the first Climate Action Plan in the early 90s. I am so gratified to finally see this coming to a vote.

All of the studies show that disclosing energy use is key to changing people's behavior and catalyzing action.

We also know that most of Portland's older housing stock was built before we knew about the climate crisis or how important saving energy would ultimately become.

The Home Energy Score Ordinance will tackle this problem by giving homebuyers more knowledge about the costs of owning their homes.

Better information makes markets work better.  
Homeowners win, the economy wins and so does the climate.

I urge you and the Council to vote in favor of this important ordinance.  
We really need to continue to take local action.

Thank you!

Mike Lindberg

P.S. I would be there in person, but I am on vacation in Mexico.



**From:** Ryan LaPoma <rlapoma@earthadvantage.org>  
**Sent:** Monday, November 21, 2016 1:37 PM  
**To:** Council Clerk – Testimony  
**Subject:** In support of PDX Home Energy Score Policy

Dear Mayor Hales,

I, Ryan LaPoma, strongly support the City of Portland Home Energy Score Policy as a long-term strategy to reduce the operating costs for homeowners and help the City meet long-standing carbon emissions reduction goals, as noted in the 2009 Climate Action Plan. People have a right to know how much it costs to operate a home they are considering for purchase.

- This policy will help buyers accurately budget what it will cost to live in their home. Something that is affordable is something that is within one's financial means, and you cannot know if a house is in your financial means if it has thousands of dollars of operating costs that are hidden from you.
- Several U.S. cities (including Austin, Berkeley, Santa Fe & Boulder) and many countries (such as the United Kingdom, Denmark, Australia, Canada and many others) have passed similar disclosure policies for their residential markets. This policy has benefited from being able to reference and improve upon the policies of those jurisdictions.
- This policy will provide important information that leads to safer, healthier, more affordable homes that cause less pollution.
- Oregon has a robust set of service offerings and financial incentives aimed at assisting low-income sellers and homeowners with upgrading their homes for energy efficiency. The City of Portland has strong relationships with these service providers and will continue to assist Portlanders in accessing these resources.
- This policy will provide access to new mortgage products tailored to energy efficient homes, particularly for lower income home buyers.
- Supply of affordable housing will be unaffected by this policy, but it will help those buyers understand the full costs of home ownership, including the energy costs.
- Disclosing the information from the home energy performance report to the City of Portland at or before the time that the home is listed for sale and to prospective home buyers when they visit the home while it is on the market, is the exact time in the transaction for disclosure to ensure the success of this policy - based on the experience of other jurisdictions that have implemented similar policies.
- Portland's Home Performance industry has more than enough qualified energy auditors to perform the energy score audit. Oregon's Home Performance industry has worked closely with the Oregon Department of Energy and the Construction Contractors Board for the past 3 years to ensure that all energy auditors are state certified professionals, deploying state certified Home Energy Scores, as per HB2801.
- Home energy ratings have been around in Portland's for many years, however of Portland's 160,000 single-family homes, less than two percent have an energy score. Voluntary efforts have been a step in the right direction, but its not enough to move the market. In 2015, Portland City Council thoughtfully adopted mandatory energy benchmarking and disclosure for large commercial buildings. The proposed Home Energy Score Ordinance is a natural companion to the commercial policy.

Please support passage of the Home Energy Score Policy as proposed by the City of Portland's Bureau of Planning & Sustainability. Portlanders have a right to know.

Thank You!

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**Ryan LaPoma, SHP**  
*Education Manager*

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**Parsons, Susan**

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**From:** Amy Ten Broeck <atenbroeck@gmail.com>  
**Sent:** Monday, November 21, 2016 1:18 PM  
**To:** Hales, Mayor; Council Clerk – Testimony  
**Subject:** Home Energy Score Policy - Support!

Hello,

I just wanted to send a quick note in support for the Home Energy Scoring policy. As a person who just recently sold a home and purchased another home, I feel like having a score attached at listing would benefit both parties. As sellers, we could accurately show that our energy efficient upgrades were worth their value and as buyers we would be able to accurately plan for our energy bills.

Thank you for hearing my thoughts on this issue and am thankful that I live in a city that wants to make a positive difference with climate change. Now, more than ever.

Amy Ten Broeck

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**From:** Myrie, Trevaun  
**Sent:** Tuesday, October 04, 2016 1:50 PM  
**To:** Council Clerk – Testimony  
**Subject:** Please Pass the home Energy Score Ordinance - Testimony  
**Attachments:** SKM\_C364e16100413580.pdf; SKM\_C364e16100413581.pdf

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## Please Pass the Home Energy Score Ordinance

September 27, 2016

Received  
SEP 30 SEP 30 2016

Dear Mayor Hales,

The Home Performance Guild of Oregon strongly supports the City of Portland's Home Energy Score Policy as a long-term strategy to reduce operating costs for homeowners and to help the City meet long-standing carbon emissions reduction goals, as noted in the 2009 Climate Action Plan. This policy will provide important information that leads to safer, healthier, more energy efficient, less carbon intensive homes that are more affordable.

We believe people have a right to know how much it costs to operate a home they are considering for purchase. This policy will help buyers accurately budget what it will cost to live in their home. Something that is affordable is something that is within one's financial means - and you cannot know if a house is in your financial means if it has thousands of dollars of operating costs that are hidden from you as a purchaser.

And while this policy will help buyers understand the full costs of home ownership, this policy will not have any noticeable impact on home pricing or sales. Supply of affordable housing will not be affected by this policy, but it will provide access to new mortgage products for lower income homebuyers to get into to energy efficient homes that are affordable to operate. Oregon has a robust set of service offerings and financial incentives aimed at assisting low-income sellers and homeowners with upgrading their homes for energy efficiency. And the City of Portland has strong relationships with these service providers and has a track record of assisting Portlanders in accessing these resources.

Portland also has more than enough qualified energy auditors to perform the required energy score audits. Oregon's Home Performance industry has worked productively with the Oregon Department of Energy, the Construction Contractors Board, and Oregon's broader energy efficiency sector for the past 3 years to ensure that the energy auditors working in your program are state certified professionals, deploying state certified Home Energy Scores, as per HB2801. Additionally, we stand ready to help support the on boarding of new auditors and auditing companies to serve this opportunity and any niches that will emerge to optimize home sale processes.

Home energy ratings have been around in Portland for many years, however of Portland's 160,000 single-family homes, less than two percent have an energy score. Voluntary efforts have been a step in the right direction, but its not enough to move the market or sufficiently inform homebuyers. In 2015, Portland City Council thoughtfully adopted mandatory energy benchmarking and disclosure for large commercial buildings. The proposed Home Energy Score Ordinance is a natural companion to the commercial policy.

Several U.S. cities (including Austin, Berkeley, Santa Fe & Boulder) and countries (such as the United Kingdom, Denmark, Australia, Canada and many others) have passed similar disclosure policies for their residential markets. This policy has benefited from being able to reference and improve upon the policies of those jurisdictions. For example, disclosing the information from the home energy performance report to the City of Portland, at or before the time that the home is listed for sale and to prospective homebuyers when they visit the home while it is on the market, is the exact time in the transaction for disclosure to ensure the success of this policy. This was a crucial lesson from the experience of other jurisdictions that have implemented similar policies. Limiting exemptions for having to obtain and disclose a score was also learned to be key to successful implementation and adoption in those jurisdictions.

Lastly, this policy may have the single largest effect on increasing the Energy Literacy of the general public than any other legislation or education campaign imaginable. And we'll all be better decision makers as a result.

Please support passage of the Home Energy Score Ordinance as proposed by the City of Portland's Bureau of Planning & Sustainability. Portlanders have a right to know.

Thank You!



Regards,  
Don MacOdrum, Executive Director  
**Home Performance Guild of Oregon**  
don@hpguild.org | 503-754-5403