



# DRAFT ENERGY STAR Multifamily New Construction, California Program Requirements, Version 1.4 (Rev. 03)

## Eligibility Requirements

The following multifamily building types are eligible to participate in the ENERGY STAR Multifamily New Construction (MFNC) program:

- Any multifamily building with dwelling or sleeping units that is NOT a detached dwelling (e.g., not a single-family home or a duplex)<sup>1</sup>; OR
- Any mixed-use buildings with dwelling or sleeping units, where the dwelling units and common space exceed 50% of the building square footage. Parking garage square footage is excluded from this calculation<sup>2</sup>

While primarily intended for new construction, existing buildings (e.g., undergoing a gut rehabilitation) are also eligible to participate in the ENERGY STAR Multifamily New Construction program, with guidance available at: [www.energystar.gov/GutRehabGuidance](http://www.energystar.gov/GutRehabGuidance).

Note that compliance with these requirements is not intended to imply compliance with all local code requirements that may be applicable to the building to be built.<sup>3</sup>

## Partnership, Training, and Credentialing Requirements

The following requirements must be met prior to certifying multifamily buildings:

- The Builder or Developer for the building is required to sign an ENERGY STAR Partnership Agreement and complete the online “Builder / Developer Orientation”, which can be found at [www.energystar.gov/homesPA](http://www.energystar.gov/homesPA).
- FT Agents must meet one of the following:
  - The HVAC installing contractor AND credentialed by an EPA-recognized HVAC Quality Installation Training and Oversight Organization (H-QUITO). An explanation of this process can be found at [www.energystar.gov/eshvac](http://www.energystar.gov/eshvac); OR
  - Not the HVAC installing contractor, AND
    - Signed up online in EPA’s online database as an FT Agent and watched the online FT Agent orientation, which can be found at [www.energystar.gov/mftraining](http://www.energystar.gov/mftraining); AND
    - Holds one of the credentials listed online here: [www.energystar.gov/ftas](http://www.energystar.gov/ftas) or is a representative of the Original Equipment Manufacturer (OEM).
- Energy Rating Companies (e.g., rater companies and Providers<sup>4</sup>) are required to sign an ENERGY STAR Partnership Agreement, which can be found at [www.energystar.gov/homesPA](http://www.energystar.gov/homesPA), and operate under either a Home Certification Organization (HCO) or a Multifamily Review Organization (MRO). Learn more and find a current list of HCOs at [www.energystar.gov/hco](http://www.energystar.gov/hco) and MROs at [www.energystar.gov/mro](http://www.energystar.gov/mro).
- Raters<sup>5</sup> are required to complete EPA-recognized training, which can be found at [www.energystar.gov/mftraining](http://www.energystar.gov/mftraining).

## ENERGY STAR Certification Process<sup>6</sup>

1. Determine through which type of oversight organization (HCO or MRO) the project must be certified:
  - All low-rise multifamily buildings, as defined by the 2022 Building Energy Efficiency Standards, must be certified through an HCO.
  - All high-rise multifamily buildings, as defined by the 2022 Building Energy Efficiency Standards, must be certified through an MRO. EPA recommends that Raters identify their MRO during the design stage, but at the latest, the building must be under MRO oversight prior to the first inspection. MROs have limited discretion to grant an exemption to this policy.
2. Configure the preferred set of efficiency measures in a whole-building model and verify that the resulting performance meets or exceeds the performance target, defined as a Compliance Margin (TDV)  $\geq 10\%$  compared to the Efficiency Compliance Total of the Standard Design (TDV) corresponding to the building, as defined by the 2022 Building Energy Efficiency Standards and determined by a CEC-approved software program.<sup>7</sup>

Note that, regardless of the measures selected, the Mandatory Requirements for All Certified Multifamily Buildings in Exhibit 1 are also required and impose certain constraints on the efficiency measures selected (e.g., insulation levels, insulation installation quality, window performance, duct leakage). Where the Checklists list different requirements for “ERI”, “ASHRAE”, or “Prescriptive”, select the requirements associated with “ASHRAE”.
3. Upon completion of design, for high-rise multifamily buildings, specific documentation is submitted to the MRO for their review and approval as described in Exhibit 3. EPA strongly recommends submitting documentation before construction; however, Raters may choose to submit the design documentation at final certification. MROs may choose to implement alternative design review requirements.
4. Upon completion of design, multifamily buildings may be eligible for the Designed to Earn the ENERGY STAR designation. To earn this optional additional designation, follow the guidance available at [www.energystar.gov/mfdees](http://www.energystar.gov/mfdees).
5. Construct the building using the measures selected in Step 2 and the Mandatory Requirements for All Certified Multifamily Buildings, Exhibit 1.
6. Using a Rater, verify that all requirements have been met in accordance with the Mandatory Requirements for All Certified Multifamily Buildings and with Data Input requirements and with On-Site Inspection Procedures for California HERS Ratings.<sup>5</sup> For modular multifamily buildings, a Rater must verify any requirement in the plant not able to be verified on-site because a feature will be concealed prior to shipment.<sup>8</sup>

The Rater must review all items on the National Rater checklists for the whole building. Raters are expected to use their experience and discretion to verify that the overall intent of each inspection checklist item has been met (i.e., identifying major defects that undermine the intent of the checklist item versus identifying minor defects that the Rater may deem acceptable).



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In the event that a Rater finds an item that is inconsistent with the intent of the checklists, the building cannot earn the ENERGY STAR until the item is corrected. If correction of the item is not possible, the building cannot earn the ENERGY STAR and individual units in the multifamily building also cannot be certified. In the event that an item on a National Rater checklist cannot be inspected by the Rater, the building also cannot earn the ENERGY STAR. The only exceptions to this rule are in the Thermal Enclosure System Section of the National Rater Field Checklist, where the builder may assume responsibility for verifying a maximum of eight items and the sections of the National Rater Field Checklist where a Licensed Professional may assume responsibility for verifying the specified items. A Licensed Professional must be a Professional Engineer or Registered Architect in good standing and possess a current license. This option shall only be used at the discretion of the Rater. When exercised, the builder's and/or Licensed Professionals' responsibility will be formally acknowledged by the builder and/or Licensed Professional signing the checklist for the item(s) that they verified.

In the event that a Rater is not able to determine whether an item is consistent with the intent (e.g., an alternative method of meeting a checklist requirement has been proposed), then the Rater shall consult their Provider or MRO. If the Provider or MRO also cannot make this determination, then the Rater, Provider, or MRO shall report the issue to EPA prior to building completion at: [energystarhomes@energystar.gov](mailto:energystarhomes@energystar.gov) and will receive an initial response within 5 business days. If EPA believes the current program requirements are sufficiently clear to determine whether the intent has been met, then this guidance will be provided to the partner and enforced beginning with the building in question. In contrast, if EPA believes the program requirements require revisions to make the intent clear, then this guidance will be provided to the partner but only enforced for buildings permitted after a specified transition period after the release of the revised program requirements, typically 60 days in length.

This will allow EPA to make formal policy decisions as partner questions arise and to disseminate these policy decisions through the [Policy Record](#) and the periodic release of revised program documents to ensure consistent application of the program requirements.

7. Once verification on all units and common spaces is complete, submit the whole building to the HCO or MRO for final certification. The Rater is required to keep electronic or hard copies of the completed and signed National Rater checklists. In addition, for buildings using Track A, the Rater is required to keep for each dwelling unit and each graded common space an HVAC design report compliant with ANSI / RESNET / ACCA / ICC 310. The Rater must also keep a National HVAC Design Supplement to Std. 310 for Dwellings & Units for each dwelling unit, and, where applicable, the National HVAC Design Supplement to Std. 310 for Common Spaces & Central Systems. For buildings using Track B, the Rater is required to keep the National HVAC Design Report. Finally, when the FT Agent is not a HVAC Credentialed Contractor, National HVAC Functional Testing Checklists for all systems must be kept. Additionally, the following steps are required:
  - a. Low-rise multifamily buildings: submit the building to the HCO for final certification and follow the HCO's certification and oversight procedures (e.g. quality assurance, recordkeeping, and reporting).
  - b. High-rise multifamily buildings: specific documentation must be submitted based on as-built conditions to an MRO for their review and approval as described in Exhibit 3.



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Two tracks are provided for satisfying the mandatory requirements for all certified buildings, Exhibit 1. Track A – HVAC Grading by Rater allows a Rater to utilize ANSI / RESNET / ACCA 310<sup>9</sup>, a standard for grading the installation of residential HVAC systems serving individual spaces and a Functional Testing Agent to verify commercial and central systems. Track B – HVAC Testing by FT Agent utilizes a Functional Testing Agent for all systems. Either track may be selected, but all requirements within that track must be satisfied for the building to be certified.

## Exhibit 1: Mandatory Requirements for All Certified Multifamily Buildings

Party Responsible	Mandatory Requirements
<b>Requirements Applicable to Track A &amp; B</b>	
<b>Rater</b>	<ul style="list-style-type: none"> <li>Completion of MFNC National Rater Design Review Checklist, Version 1 / 1.1 / 1.2<sup>10</sup></li> <li>Completion of MFNC National Rater Field Checklist, Version 1 / 1.1 / 1.2 (Where requirements are differentiated by Version, the requirements for National v1.2 must be followed)</li> </ul>
<b>Builder or Developer</b>	<ul style="list-style-type: none"> <li>Completion of MFNC National Water Management System Requirements, Version 1 / 1.1 / 1.2</li> </ul>
<b>Requirements Only Applicable to Track A - HVAC Grading by Rater<sup>9</sup></b>	
<b>HVAC System Designer</b>	<ul style="list-style-type: none"> <li>Completion of HVAC design report(s) compliant with ANSI / ACCA / RESNET 310, plus the SFNH / MFNC National HVAC Design Supplement(s) to Std. 310 for Dwellings &amp; Units and, if applicable, MFNC National HVAC Design Supplement to Std. 310 for Common Spaces &amp; Central Systems</li> </ul>
<b>Functional Testing Agent</b>	<ul style="list-style-type: none"> <li>Completion of applicable sections of the MFNC National HVAC Functional Testing Checklist, Version 1 / 1.1 / 1.2. Exempt from Sections 2 and 3 for Dwelling Unit HVAC as the Rater is the party responsible for assessing these systems installation quality in accordance with ANSI / RESNET / ACCA 310</li> </ul>
<b>Requirements Only Applicable to Track B - HVAC Testing by FT Agent</b>	
<b>HVAC System Designer</b>	<ul style="list-style-type: none"> <li>Completion of MFNC National HVAC Design Report, Version 1 / 1.1 / 1.2</li> </ul>
<b>Functional Testing Agent</b>	<ul style="list-style-type: none"> <li>Completion of MFNC National HVAC Functional Testing Checklist, Version 1 / 1.1 / 1.2</li> </ul>

### Mandatory Compliance Date

To determine the program Version that a multifamily building is required to be certified under, look up the plan approval date and permit issue date of the building in Exhibit 2. Program requirements for other locations can be found at [www.energystar.gov/mfncrequirements](http://www.energystar.gov/mfncrequirements).

Multifamily buildings permitted prior to July 1, 2021 are permitted to participate in any of the following programs, as long as the building meets the Eligibility Requirements defined within that program: the ENERGY STAR Certified Homes program, the ENERGY STAR Multifamily High Rise program, or this ENERGY STAR Multifamily New Construction Program.

## Exhibit 2: ENERGY STAR Multifamily New Construction Implementation Timeline for California

State / Territory	Use the Plan Approval Date, Permit Date, and Edition of the Building Energy Efficiency Standards (BEES) Required by the AHJ to Determine the Applicable Version & Revision (See Footnote 11)			Version	Revision <sup>12</sup>
	Permit Date	Plan Approval Date	Edition of the BEES Required by AHJ		
CA	Before 01-01-2024	Before 01-01-2023	Any Edition	California v1.2	Rev. 02
		01-01-2023 to 12-31-2023	Any Edition	California v1.3	Rev. 02
	On or After 01-01-2024	Any	2019 or earlier 2022	California v1.3 California v1.4	Rev. 03 Rev. 03



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## Exhibit 3: High-Rise Multifamily Building MRO Documents

The following documents must be submitted to the MRO. Those designated as 'final only' are only submitted at final certification.

Party Responsible	Documents
<b>Requirements Applicable to All Buildings</b>	
<b>Rater</b>	<ul style="list-style-type: none"> <li>• Multifamily Workbook</li> <li>• MFNC National Rater Design Review Checklist, Version 1 / 1.1 / 1.2</li> <li>• MFNC National Rater Field Checklist, Version 1 / 1.1 / 1.2 (Final only)</li> <li>• Construction Documents</li> <li>• Photo Documentation (Final only)</li> </ul>
<b>Requirements Applicable to High-Rise Multifamily Building Modeling</b>	
<b>Modeler</b>	<ul style="list-style-type: none"> <li>• California Compliance Report</li> <li>• Modeling file OR model input and output files</li> </ul>
<b>Requirements Only Applicable to Track A – HVAC Grading by Rater<sup>9</sup></b>	
<b>HVAC System Designer</b>	<ul style="list-style-type: none"> <li>• HVAC design report(s) compliant with ANSI / ACCA / RESNET 310</li> <li>• SFNH / MFNC National HVAC Design Supplement(s) to Std. 310 for Dwellings &amp; Units, All Versions</li> <li>• MFNC National HVAC Design Supplement to Std. 310 for Common Spaces &amp; Central Systems, All Versions, where applicable</li> </ul>
<b>Functional Testing Agent</b>	<ul style="list-style-type: none"> <li>• National HVAC Functional Testing Checklists, Version 1 / 1.1 / 1.2.</li> </ul>
<b>Requirements Only Applicable to Track B – HVAC Testing by FT Agent</b>	
<b>HVAC System Designer</b>	<ul style="list-style-type: none"> <li>• MFNC National HVAC Design Report, Version 1 / 1.1 / 1.2</li> </ul>
<b>Functional Testing Agent</b>	<ul style="list-style-type: none"> <li>• MFNC National HVAC Functional Testing Checklist, Version 1 / 1.1 / 1.2 (Final only)</li> </ul>

### Notes:

- For multifamily projects with multiple buildings, each building must demonstrate compliance with the program requirements, but can be documented using one Multifamily Workbook and one HVAC Design Report per project.
- For the Excel-based Multifamily Workbook, while Partners are encouraged to always use the newest versions available online, unless otherwise specified, file updates between Program revisions will not be required. After a Program revision, Raters will be required to use the updated Workbook based on the enforcement timeline set for the revision.



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## Footnotes:

1. Buildings that do not contain dwelling or sleeping units are not eligible for certification under MFNC. The term 'building' refers to a structure that encompasses dwelling/sleeping units and (if present) common spaces, sharing one or more of the following attributes: a common street address, a common entrance or exit, central/shared mechanical systems, or structurally interdependent wall or roof systems. Attached structures such as 4-story two-unit structures (commonly referred to as "2-over-2s") may be considered separate buildings if they are divided by a vertical fire separation wall from the foundation to the roof sheathing and share none of the other attributes listed above. A skyway or a breezeway that connects two structures is not considered a common entrance or exit. A dwelling unit, as defined by ANSI / RESNET / ICC 301, is a single unit that provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. A 'sleeping unit', as defined by ANSI / RESNET / ICC 301, refers to a room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. A 'dwelling', as defined by ANSI / RESNET / ICC 301, is any building that contains one or two dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes. For the purposes of eligibility, hotels, motels, and [senior care facilities](#) are not considered multifamily buildings. Visit: [https://www.energystar.gov/partner\\_resources/residential\\_new/program\\_reqs/mfnc\\_building\\_eligibility](https://www.energystar.gov/partner_resources/residential_new/program_reqs/mfnc_building_eligibility) for more information.
2. The term 'common space' refers to any spaces in the building being certified that serve a function in support of the residential part of the building that is not part of a dwelling or sleeping unit. This includes spaces used by residents, such as corridors, stairs, lobbies, laundry rooms, exercise rooms, residential recreation rooms, and dining halls, as well as offices and other spaces used by building management, administration or maintenance in support of the residents.
3. While certification will result in compliance with many code requirements, a Rater is not responsible for ensuring that all code requirements have been met prior to certification. In the event that a code requirement, a manufacturer's installation instructions, or an engineering document conflicts with a requirement of the ENERGY STAR program (e.g., slab insulation is prohibited to allow visual access for termite inspections), then the conflicting requirement within these program requirements shall not be met. Certification shall only be allowed if the Rater has determined that no equivalent option is available that could meet the intent of the conflicting requirement (e.g., switching from exterior to interior slab edge insulation). Note that a home must still meet its performance target. Therefore, other efficiency measures may be needed to compensate for the omission of the conflicting requirement.
4. The term 'Provider' refers to an Approved Rating Provider defined as an Approved entity responsible for the certification of raters working under its auspices and who is responsible for the Quality Assurance of such Certified Raters and for the Quality Assurance of Energy Ratings produced by such Certified Raters.  
Approved shall mean approved by an HCO recognized by EPA to implement an ENERGY STAR certification program in California.  
Quality Assurance is defined as the systematic processes intended to ensure reliable compliance with applicable standards.  
A Certified Rater is defined as an individual who has become qualified to conduct California HERS Ratings through certification under an HCO recognized by EPA to implement an ENERGY STAR certification program in California or an equivalent designation as determined by an EPA-recognized MRO.  
An Energy Rating is defined as an unbiased indication of a Dwelling Unit's relative energy performance based on consistent inspection procedures, operating assumptions, climate data and calculation methods in accordance with the Data Input requirements and On-Site Inspection Procedures for California HERS Ratings.
5. The term 'Rater' refers to the person(s) completing the third-party verification required for certification. The person(s) shall: a) be a Certified Rater as defined by Footnote 4; and, b) have attended and successfully completed an EPA-recognized training class. See [www.energystar.gov/mftraining](http://www.energystar.gov/mftraining).  
Raters who operate under an MRO or an HCO with a Sampling Protocol are permitted to verify the minimum rated features of the building and to verify any Checklist Item designated "Rater Verified" using the HCO-approved Sampling Protocol. No parties other than Raters are permitted to use sampling, with the exception of the Functional Testing Checklist. Functional Testing Agents, except the installing contractor, may follow the Sampling Protocol described in the [MFNC Functional Testing Checklist Sampling Protocols](#). All other items shall be verified for each certified building. For example, no builder verified items are permitted to be verified using a Sampling Protocol.
6. These requirements apply to all dwelling units, sleeping units, common spaces<sup>2</sup>, and garages (open or enclosed) in the building being certified, and where specified, parking lots. These requirements do not apply to commercial or retail spaces. These requirements do not apply to common spaces that are located in buildings on the property without any dwelling or sleeping units. These requirements do not apply to parking garages or lots where the cost of the energy use of the parking garage or lot is not the responsibility of the Builder/Developer, Building Owner or Property Manager.
7. CEC-approved computer programs can be found at: <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1>. Any measure that contributes to the Compliance Margin (TDV), as recognized by CEC-approved computer programs, is permitted to be used to meet these performance targets.
8. A modular building is a prefabricated building that is made of multiple modules or sections that are manufactured and substantially assembled in a manufacturing plant. These pre-built sections are transported to the building site and constructed by a builder to meet all applicable building codes for site-built buildings.
9. Track A –HVAC Grading by Rater shall use ANSI / RESNET / ACCA 310 including all Addenda and Normative Appendices, with new versions and Addenda implemented according to the schedule defined by the HCO or MRO that the building is being certified under.



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10. Buildings certified using this version of the program requirements are automatically deemed compliant with Items 2.1, 2.2, and 3.1 and 3.2 of the National Rater Design Review Checklist, Version 1 / 1.1 / OR-WA 1.2 (Rev. 02) due to the inability of CEC-approved software to calculate the total thermal envelope UA and in consideration of the rigor of the 2022 Building Energy Efficiency Standards.
11. The Rater may define the 'permit date' as either the date that the permit was issued or the application date of the permit. In cases where permit or application dates are not available, Providers or Multifamily Oversight Organizations have discretion to estimate permit dates based on other construction schedule factors. These assumptions should be both defensible and documented. The 'plan approval date' is the date that a jurisdiction approves a building plan and its efficiency features for use on a specific lot or tract. As an exception, if a new plan is added to a specific tract's existing plan set and the new plan is subject to the same edition of the energy code as the existing plan set, then the 'plan approval date' is considered to be the existing plan set's original plan approval date.
12. Buildings certified under Rev. 01, Rev. 02, and Rev. 03 of the program requirements are permitted to use any version of the MFNC National HVAC Design Report.

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