



Technical Bulletin

Energy Assessor

This Technical Bulletin is relevant for DEA, NDEA and SAP energy assessors and will cover the following:

- **Use of SAP vs RdSAP for New Build Dwellings – when is it appropriate to use these methodologies**
 - **RdSAP/SAP and SBEM for HMOs – which methodology should be used and when**
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In recent months, Stroma has seen an increase in enquiries in these areas. It has become clear that there is insufficient simple and clear guidance available.

The following guidance was put together to assist our members and has been discussed and agreed between all certification schemes to ensure that all guidance is consistent.

Please feel free to share this document with colleagues and clients.

SAP vs RdSAP Guidance

This guide is only related to the type of EPC that is required to be lodged when a transaction type applicable to the methodology occurs. The following guidance is written on the assumption that such a transaction type is being applied.

1) Basic principles

RdSAP is for the assessment of existing dwellings only. Where an EPC is required for a new dwelling, under the Building Regulations, it must be a SAP EPC. Any new dwelling, including dwellings created by change of use, must be assessed using SAP. Typical changes of use are detailed in Section 3.

There are 3 key dates in place for when SAP methodology applies for newly built dwellings. These dates vary for each devolved administration:

- **England and Wales – 6th April 2008**
- **Scotland – 1st May 2007**
- **Northern Ireland – 30th September 2008**

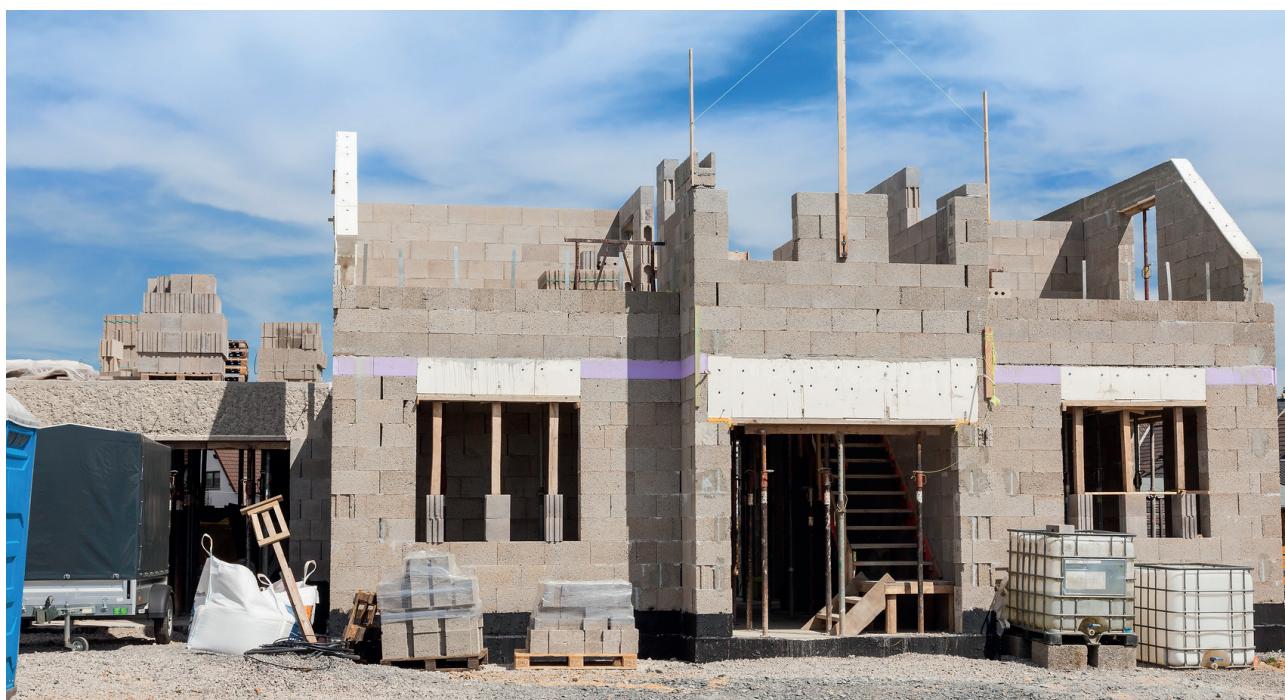
Dwellings built prior to these dates should be assessed via the RdSAP methodology and an EPC produced.

Dwellings completed after these dates should initially be assessed via SAP methodology and an On-Construction EPC is required.

For a new dwelling, where an On-Construction EPC has not been lodged, a SAP EPC is still required, irrespective of whether the dwelling has been occupied. However, if either of the following apply, the dwelling should be assessed using RdSAP:

- The SAP data set (i.e. the full set of data used for Building Regulation compliance) is not available and the evidence for its lack of availability has been provided
- The SAP data set is available but the dwelling has been altered in such a way that the data is no longer applicable and the details of the alteration are unknown (evidence that the dwelling has been altered and evidence for lack of Building Regulation approval providing details of the alterations to be provided)

Note: In Scotland, a new dwelling, for which the building warrant application was submitted before 1st May 2007 or a dwelling created by change of use (a defined conversion), does not require a SAP EPC under the Building Regulations. It will however, under the Energy Performance of Buildings Regulations (EPB), require an RdSAP EPC when offered for sale or rental.



2) Existence of SAP data set

It is important that the energy assessor checks the construction age of the dwelling, and considers if there is an existing EPC on the register, if the property was completed after the dates listed in the previous section.

If a SAP EPC is present and is within the validity period (10 years), and no changes have been made to the dwelling, the data is current and the EPC should not be replaced with an RdSAP EPC.

Note: For certain government policies, e.g. RHI or Green Deal, an RdSAP EPC is required. If this is the case, it is permissible to lodge an RdSAP EPC over the original SAP within the validity period of the original certificate.

If an EPC does not exist, and the dwelling was completed after the dates in Section 1, a SAP EPC should be produced where possible. Where it is not possible for the reasons listed previously, the assessor should be able to evidence why an RdSAP assessment has been produced.

Suitable evidence

- Specific and compelling evidence to show why the full data set is no longer available. Acceptable examples could include a letter from an authority such as Building Control, confirming that they attempted to get a SAP assessment produced, but that the builder went out of business before completion of dwelling
- Evidence to show that the dwelling changed since construction. Examples of Building Control sign-off of an extension, or receipts of a new heating system installation would be acceptable

The length of time that a dwelling has been occupied is not a consideration in this process as occupancy has no effect on the dwelling itself.



3) Material change of use

A SAP EPC is required if there is a material change of use at the proposed dwelling(s).

For this, we need to consider another document - Building Regulations Part L1b. Part L1b of the Building Regulations covers energy performance requirements for:

- Extensions
- Refurbishments
- Material Changes of Use

Taken from Part L1b, material changes of use are where:

- a) The building is used as a dwelling, where previously it was not
- b) The building contains a flat, where previously it did not
- c) The building, which contains at least one dwelling, contains a greater or lesser number of dwellings than it did previously

Common scenarios covered by a change of use

- A commercial unit converted into a block of flats
- A commercial unit converted into a single dwelling
- A house converted into a number of flats
- Several dwellings converted into a reduced number of dwellings

For a change of use development, a SAP assessment is required by Building Control. This supports the guidance from the DCLG regarding EPCs where it states, "The types of property where the SAP method might give a more accurate rating include buildings constructed to current Building Regulations standards." In this case, the "Building Regulations" are Part L1b.

Conversions, Refurbishment, Renovations and Extensions

The terms 'Conversion', 'Refurbishment', and 'Renovation' are often misleading. They sometimes mean the same thing, but can often mean different things.

For the purposes of this document, the above terms are all treated the same; they will be defined as a 'change'.

'Extensions' are classed as the addition to the area and perimeter of an existing dwelling.

Dwellings where the change took place after the dates in Section 1

The below are examples of buildings that have been changed with guidance given against each one. This is not an exhaustive list.

Change Type	Process	Certificate Type (SAP/RdSAP)
Barn Conversion	This is a material change of use (commercial building to dwelling). Building Regulations should apply. The first EPC must be SAP when a transaction is triggered.	SAP
Church Conversion	This is a material change of use (non-dwelling to dwelling). Building Regulations should apply. The first EPC must be SAP when a transaction is triggered.	SAP
House Refurbishment (1)	For circumstances where the whole dwelling is replaced by a totally new dwelling, or whereby the entire footprint of the dwelling and envelope/shell (all walls, roofs, floors, openings) has changed, the EPC must be SAP when a transaction is triggered.	SAP
House Refurbishment (2)	Where the dwelling remains essentially the same but is updated or upgraded thermally but not entirely, the EPC should be RdSAP. For example, simply topping up roof insulation, filling a cavity or replacing a boiler would not qualify as needing SAP. RdSAP would not be needed to undertake such improvement, but would be required upon triggering an applicable transaction type.	RdSAP
Extension to a dwelling (including roof rooms)	Where the floor area of the dwelling has increased, incorporating new thermal elements and Building Regulations L1b are applicable. Then a SAP calculation should be produced for Building Control. However this isn't a transaction type that requires the production of an EPC. Therefore, an EPC does not need to be lodged.	None

Dwellings where the 'change' was completed prior to dates in Section 1 (using RdSAP)

For a conversion which was a change of use (e.g. barn converted to a dwelling), or where a dwelling has been sub-divided (e.g. house to flats), RdSAP methodology should be used.

Assessors should use the original construction date unless there is documentary evidence that all thermal elements have been upgraded to the Building Regulation standards applicable at the conversion date. If this is the case, the construction date can be used. Enter insulation levels only for those elements for which evidence is available.

HMO Guidance

Basic Principles – HMOs

The Housing Act 2004 introduced licensing for Houses in Multiple Occupation (HMO). The act provides a detailed definition of HMOs and sets out standards of management of this type of property.

Under the act, Local Authorities are able to "licence" HMOs in two different ways - "mandatory licensing" and "additional licensing".

Mandatory licensing is for all HMOs that have three or more storeys and are occupied by five or more persons forming two or more households.

Additional licensing is when a Local Authority can impose a licence on other categories of HMOs in its area.

When a Local Authority grants a licence it will look at a number of deciding factors:

- The suitability of the HMO for the number of occupants
- The suitability of the facilities
- The suitability of the landlord and management of the HMO

Additionally, the Local Authority will need to ensure that mandatory standards are met and continue to be met with regards to the HMO. These are:

- An annual gas certificate
- Keep electrical appliances and furniture supplied by the landlord in a safe condition and to supply a declaration of their safety to the council on demand
- Install smoke alarms and keep them in proper working condition and to supply to the council with a declaration on their position and condition
- Give the occupants a statement of the terms on which they occupy the HMO

The Local Authority may specify additional conditions relating to the facilities of the HMO and their condition and management.

Increasingly, due to this ability to specify additional conditions on HMO licensing, scheme members are being asked to provide EPCs for HMOs to comply with Local Authority HMO licensing requirements. Local Authorities are using EPCs as a means of measuring the condition of HMOs. HMOs are not a trigger with EPB and as such, are not covered by the legislation.

HMOs are viewed in a different manner to a domestic dwelling as defined by EPB. HMOs are:

- Occupied in a more intensive manner than a standard domestic or commercial property
- Licensing is not concerned with the property, just the way that it is occupied and if it is in a fit condition
- Licensing does not prevent the property being rented as a single family dwelling, even if a HMO licence is in existence

EPB legislation is concerned with different drivers when assessing the property. These are:

- Methodology is driven by the building type and its designed use
- RdSAP and SBEM apply a 'standard occupancy' factor to the calculation and ignore the actual number of occupants in the building

Summary

- Occupancy is immaterial to the assessment of the building
- Design use of the building is important
- RdSAP or SBEM may be the appropriate methodology for the assessment depending on the original designed use of the building
- Similar properties are being assessed using different methodologies, resulting in similar properties receiving different certificates

Conclusion

Although the EPC is being used within the HMO process, the drivers behind what methodology should be used are those required by EPB Regulations. As such, the fact that the building is being used as an HMO should have no bearing on the choice of assessment methodology. The building and its initial intended designed use should be the deciding factor when choosing which methodology is correct to follow.

Guidance to Adopt

The DCLG document, 'Improving the Energy Efficiency of our Buildings', issued in April 2014 states,

'An EPC is not required for an individual room when rented out, as it is not a building or a building unit designed or altered for separate use. The whole building will require an EPC if sold or rented out.'

Therefore, this guidance should only be applied to the whole dwelling/building and not an individual room.

If the original designed use of a building was for a single family (e.g. Victorian mid-terrace house), the correct methodology for assessing the building would be SAP/RdSAP; the result will be more appropriate than other methodologies in assessing the building.

If the original designed use of a building was to have shared amenities (e.g. halls of residence), the correct methodology for assessing the building would be using SBEM; the result will be more appropriate than other methodologies in assessing the building.

Contact Stroma

If you have any queries regarding this Technical Bulletin, please contact the Stroma Certification team on our local rate number: **01977 665420**:

Monday to Thursday 8:30am – 5:30pm and 8:30am – 5:00pm on a Friday

To get through to the correct department, please dial the following extensions when prompted:

- DEA (RdSAP) – EXT. 614
- SAP and Code – EXT. 608
- Non-Domestic (NDEA, DEC and Air Con) – EXT. 610
- Audit Administration – EXT. 611
- Software Support – EXT. 615
- General Membership Enquiries – EXT. 603

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*Calls cost 7p per minute plus your phone company's network access charge or call 01977 665420.