



DISCLOSURE REGARDING SAN FRANCISCO ENERGY AND WATER CONSERVATION ORDINANCES

The Residential Energy Conservation Ordinance requires that owners of San Francisco residential property who wish to sell that property must, unless the Ordinance has been complied with previously, obtain a valid energy inspection, install certain energy and water conservation devices, obtain a certificate of compliance, and provide a copy of that certificate to the Buyer prior to the transfer of title. Some exemptions apply, for example, for transfers pursuant to a court order and for transfers of properties built since July 1978.

RESIDENTIAL ENERGY CONSERVATION

First enacted in September 1982 and amended in 1983 in Ordinances 72-82 and 613-83, the Energy Conservation Ordinance requires Sellers to have their residential property inspected by a certified Energy Inspector (or a City inspector) who will prioritize the installation of such energy conservation measures as:

- (1) Insulating attic space (of sufficient average clearance) to a minimum value of R-19;
- (2) Weatherstripping doors (between heated and unheated space);
- (3) Insulating water heaters (if they have no internal insulation) and the first 4 feet of the hot water line;
- (4) Installing low-flow showerheads (also see below);
- (5) Caulking and sealing openings in the building's exterior greater than 1/4 inch wide;
- (6) Insulating heating and cooling ducts (asbestos-wrapped ducts may be exempt).

The maximum required expenditure is 1% of the assessed value of the building, or of the sale price, whichever is greater. For a one or two-family dwelling, the amount spent on energy conservation measures need not exceed \$1300. For buildings of three or more units, with steam or hot water boilers, additional requirements apply.

The Seller may transfer responsibility for compliance to the Buyer providing a valid energy inspection has been performed and a written agreement is signed by Buyer and Seller stating that the required energy conservation measures will be installed within 180 days of the transfer of title and that funds to perform the work have been placed in an escrow account.

RESIDENTIAL WATER CONSERVATION

In June and October 1991, additional water conservation measures were added in Ordinances 185-91 and 346-91. The cost of compliance with these measures is not included in the expenditure limitations above. They include:

- (1) Showerheads having a maximum flow rate of no more than 2.5 gallons per minute (showerheads that cannot be removed from the wall without structural work are exempt);
- (2) Aerators with approved flow restrictors attached to kitchen and bathroom faucets;
- (3) Low-flow toilets (3.5 gallons per flush) or the retrofitting of approved devices to limit the volume to that amount (note that toilet dams do not meet this criteria and that for toilets which are moved, replaced or added, the code now requires that the maximum flush volume is 1.6 gallons).

If an Energy Conservation compliance was recorded prior to June 1991, in lieu of a separate inspection and certification, owners may sign and file with the Water Department an affidavit that the above-listed water conservation devices have been installed.

ADVISORY

Buyer should be aware that proof of compliance with the Energy Conservation Ordinance does not mean that all of the above-mentioned energy and water conservation devices have been installed or are currently in place on the property. Buyer is advised to inspect for Energy and Water Conservation devices during Buyer's own professional inspections.

	1/26/05		Date
Seller	Date	Buyer	Date
	1/26/05		Date
Seller	Date	Buyer	Date

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