Informal Interpretation Report
Number 7867

Date November 22, 2016

Edition 2014

Section R104.5

Question:

Would an individual who possesses a relevant certification by the Building Performance Institute, Inc. (in accordance with FS 553.993 (5) or (7)) meet the requirements of the Florida Building Code, 5th Edition (2014) ñ Energy Efficiency sections R104.5, found in the 2016 Supplement in accordance with FS 553.998 (authorized by 2016 HB535) to submit an inspection report for a home for residential code compliance?

Answer

Section R402.4.1.2 says when the code official requires it, the testing will be done by an approved third party. A report generated by the approved third party would then be submitted to the code official. So, it is not saying somebody else does the sign-off, but that the code official would approve the tester and accept or reject her or his report. The other Section in question, R104.5 authorizes the code official to accept reports of inspection agencies he or she approves and requires such agencies to satisfy the requirements related to qualifications and reliability. Florida Statute 553.993(5) and (7) defines Energy auditor and Energy Rater, respectively. Both call for certification. Further, Ch. 553.998 , F.S. permits the local enforcement agencies to accept inspections by individuals as defined in the aforementioned sections of Florida Statute. The question is does the certification
of the Building Performance Institute qualify individuals so certified to do such testing and provide such reports. The answer is yes based on the following: 1. The BPI Program is a national program that includes classroom and field training and examination. 2. The program to become a BPI rater has prerequisites before one is pemitted to take the training. 3. BPI partners with the USDOE on rating existing

homes. 4. BPI certified raters are subject to a quality control program. 5.The raters may only operate on code related items with the approval of the code official. 6. There is no requirement for a local jurisdiction to accept reports it does not believe are correct. 7. The program is an additional resource for departments that may not have the expertise to conduct increasingly complicated energy audits for new or existing construction.

Commentary:

None

Notice:
The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.