



## WHPA Compliance Committee Teleconference Summary Notes

Thursday, September 14, 2017

Scheduled for 8:30am – 9:30am PDT

### Call to Order

WHPA Compliance Committee Chair Bob Barks (CALBO) called the meeting to order at 8:36 a.m. PDT. The meeting was recorded for note purposes.

### Roll Call

WHPA Staff (Wendy Worrell) conducted roll call of the voting panel during the meeting. There was a quorum (9 or more voting members or proxies) with 10 voting members or proxies in attendance and the following 28 participants (or proxies) overall based on attendance reporting documentation.

P = Present at meeting A = Absent from meeting; if proxy has been assigned it will be noted below.				
Organization	First Name	Last Name	WHPA Category	Attendance
<b>Voting Members</b>				
ACCA (Air Conditioning Contractors of America)	Todd	Washam	Contractor Association	A
	Don (standing proxy)	Prather	Contractor Association	P
Brody Pennell Heating, Air Conditioning and Electrical Contractors	Michael	Carson	Contractor (Residential)	A
CALBO (California Building Officials)	Bob	Barks	Codes & Standards Official (Association or Jurisdiction)	P (Chair)
CalCERTS, Inc.	Charlie	Bachand	Certifying Body	P
	Russ (standing proxy)	King	Certifying Body	P
CEC (California Energy Commission)	Lea	Haro	Government (Other than CPUC)	P (last 28 min)
CHEERS	Bob	Johnson	Certifying Body	P
	Mike (standing proxy)	Hodgson	Certifying Body	A
CSE (Center for Sustainable Energy)	Lindsey	Hawes	Energy Efficiency Program Consultant	P (left prior to vote but cast email "aye" vote)
Enalasy	Eric	Taylor	Third Party Quality Assurance Providers	P
Energy CA LLC, The	Eric	Beriault	Third Party Quality Assurance Providers	P (last 49 min)
Goodman Manufacturing	Aniruddh	Roy	HVAC Manufacturer	A
HARDI (Heating, Airconditioning & Refrigeration Distributors International)	Jon	Melchi	Distributor Association	A
HVACRedu.net	Scott	Oakley	Educator, Trainer	A
IHACI (Institute of Heating and Air Conditioning Industries)	Bob	Wiseman	Contractor Association	P
JCEEP (Joint Committee on Energy and Environmental Policy)	David	Dias	Organized Labor	A
SynergyNexGen	Barbara	Hernesman	Energy Efficiency Program Consultant	P
<b>Non-Voting Members</b>				
BMA Mechanical+	Dustin	Lane	Other Stakeholder	P (18 min)
BPI (Building Performance Institute, Inc.)	Jeremy	O'Brien	Certifying Body	P
Charles F. Segerstrom, Energy Efficiency Consultant	Charles	Segerstrom	Energy Efficiency Program Consultant	P
CSLB (Contractor State Licensing Board)	Cynthia	Moore	Government (Other than CPUC)	P
DNV GL-Energy	Amber	Watkins	Energy Efficiency Program Consultant	P
Duct Testers	Dave	Hegarty	Other Stakeholder	P
EnerGtech Experts	Brent	Locke	Energy Efficiency Program Consultant	P
Honeywell Smart Energy (HSE)	Steve	Varnum	Energy Efficiency Program Consultant	P
HVAC Rater Service	Greg	Davis	Third Party Quality Assurance Providers	P
PHCC (Plumbing-Heating-Cooling Contractors National Association)	Charles	White	Contractor Association	P
SCE (Southern California Edison)	Gary	Shushnar	California IOU	P
SCE (Southern California Edison)	Bach	Tsan	California IOU	P
SoCalGas (Southern California Gas Company)	Hackett	Barney	California IOU	P
SoCalGas (Southern California Gas Company)	Harvey	Bringas	California IOU	P
SMUD (Sacramento Municipal Utility District)	Brett	Korven	Public Owned Utility	P
<b>WHPA Staff</b>				
CLEAResult	Paul+	Kyllo	Other Stakeholder	P (White Paper)
InfoPlast	Wendy	Worrell	Other Stakeholder	P (Host/Scribe)



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\*\* Organization is Not a Member of the WHPA; + Individual is NOT Registered with the WHPA; (P) = Member Organization is Pending Approval from the WHPA Executive Committee.

### AGENDA

The following agenda was distributed to the WHPA Compliance Committee roster by WHPA Staff prior to the meeting:

#### GENERAL REMINDERS

- Adherence to the WHPA **Code of Conduct** is required.
- Disclose any potential conflicts of interest as it relates to meeting content, particularly prior to any votes that may occur.
- Identify yourself prior to speaking, clarifying the organization on whose behalf you are speaking, or if you are making a personal comment.
- Mute yourself when not speaking. (\*6 will take you on and off mute.)

#### AGENDA ITEMS

- 1) **Roll Call of Voting Members** – WHPA Staff (Wendy Worrell) – 5 min
- 2) **Approval of Prior Meeting Minutes** – Compliance Chair (Bob Barks, CALBO) – 2 min
  - a. August 10, 2017
- 3) **Online Permitting Working Group Survey Results Memos** – OWPG Chair (Louis Fuentes, Air Conditioning Guys) 20 min
  - a. Overview: *Contractor Survey Results Memo Final Draft 8-28-17*
  - b. Overview: *Jurisdictional Survey Results Memo Final Draft 8-28-17*
  - c. Vote to Approve and Escalate Memos
- 4) **“Understanding the Residential HVAC Compliance Shortfall” DRAFT White Paper Vetting** – Chair (Bob Barks, CALBO) – 30 min
  - a. Discussion Ground Rules
  - b. Continued Solutions Vetting
- 5) **Meeting Next Steps Overview** – Chair (Bob Barks, CALBO) - 3 min
  - a. Next Meeting: Thursday, October 12, 2017 from 8:30am – 9:30am PDT
  - b. Next Meeting Agenda (Expected): *Best Practices in Online Permitting Memo* Review and Escalation Vote; Continued White Paper Vetting and Finalization
- 6) **Adjournment** by 9:30am PDT – Chair (Bob Barks, CALBO)

### Approval of Prior Meeting Minutes

WHPA Staff email distributed the draft August 10, 2017 minutes to the roster prior to the current meeting.

WHPA Staff reported that the August 10, 2017 draft meeting notes only showed the voting members who had attended that meeting, but as it caused some concern and confusion, the full voting panel would be reflected prior to final posting.

**ACTION:** WHPA Staff to post the August 10, 2017 meeting minutes in final version on the WHPA Compliance Committee webpage reflective of any email comments received.

### Online Permitting Working Group Survey Results Memos

WHPA Staff emailed the following reference documents to the roster prior to the meeting:

- [Contractor Online Permitting Survey Results Memo Final Draft dated 8-28-17](#)
- [Jurisdictional Online Permitting Survey Results Memo Final Draft dated 8-28-17m](#)

The Compliance Committee Chair presented the above reference documents and requested the Compliance Committee’s vote to approve and escalate them to the WHPA Executive Committee for approval as WHPA Work Products.

#### CONTACTOR ONLINE PERMITTING SURVEY RESULTS MEMO DISCUSSION

The Chair clarified that the *Contractor Online Permitting Survey Results Memo* was developed under the leadership of Brent Locke (EnerGtech). The survey targeted input from contractors about the feasibility of statewide online permitting. The Chair overviewed the details in the Memo.

WHPA Staff noted the survey limitations detailed in the Memo.

Cynthia Moore (CSLB) asked how respondents were asked to respond. After receiving clarification from WHPA Staff that the survey was handled digitally due to the resources available, Cynthia noted that the 86% statistic of those indicating they would favor an online permitting system was probably indicative of those who are more comfortable working online. She added that potentially “a lot of people were lost” who are not comfortable using digital resources.



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- Donald Prather (ACCA) noted that most contractors who have an email are comfortable with digital resources, but clarified that the low response rate was probably more indicative of the real issue. He further **suggested** that it would be good to ask how many renew tags online versus in person at the DMV as a telling statistic for comfort with online processing.

The Chair **suggested** that a requirement may be needed (via legislation) to require contactors to provide email addresses.

- Cynthia Moore (CSLB) confirmed they are making progress with technology, but that legislation would still be needed for changes in required information to be gathered.

WHPA Staff clarified that the survey instruments for both the Contractor and Jurisdictional audiences were reviewed and approved by both the Compliance Committee and the Executive Committee at the end of last year and are listed as interim work products on the WHPA Work Products' list. Staff reminded that the intent is for content from these Survey Results memos along with the prior memos for the legislative and regulatory policy issues affecting online permitting, the minimum legal requirements for a building permit, and the review of best practices in online permitting to be combined into an overarching memo clarifying the feasibility of online permitting.

Donald Prather (ACCA) asked who would have access to the information if all the hurdles are addressed.

- The Chair clarified that some of that information will be addressed next month in the Best Practices Memo discussion. He noted that there are security issues, but that the contractors and the jurisdictions would definitely have that information. He added that property owners would have a right to information about their property.
- Donald Prather (ACCA) confirmed that it would need to be built into the infrastructure, clarifying that a lot of contractors do not want their competition to be able to see what they have done.
- The Chair confirmed that security is addressed in the Best Practices Memo.
- WHPA Staff (Wendy Worrell) clarified that the system development is another phase laid out in the Online Permitting Roadmap, but is not part of the current process.
- Bob Johnson (CHEERS) commented via Webex that “permit information is public record so anyone can access it. A contractor could call the jurisdiction, give them an address and ask if a permit has been pulled and by whom.”

### JURISDICTIONAL ONLINE PERMITTING SURVEY RESULTS MEMO DISCUSSION

The Chair overviewed the results of the Jurisdictional Survey. He clarified that the Memo includes all the survey questions, summary of the results, and any comments received during survey fielding. He noted that although the responses were limited, they yielded information “we did not have before.”

WHPA Staff noted the survey limitations detailed in the Memo.

Eric Taylor (Enalays) commented that “we are ready to move forward with these documents”.

### VOTE

Lindsey Hawes (CSE) reported that she had to leave the call, but that she would cast her vote by email. (*WHPA Staff Note: Lindsey Hawes (CSE) cast an email “aye” vote to approve and escalate both survey result memos.*)

The Chair asked for a motion on the two survey result memos. Eric Taylor (Enalays) motioned and Bob Wiseman (IHACI) seconded the motion to escalate both the *Contractor Online Permitting Survey Results Memo* and the *Jurisdictional Online Permitting Survey Results Memo* to the WHPA Executive Committee. The motion unanimously passed with votes cast by the voting members on the call and by email without further discussion needed.

### **“Understanding the Residential HVAC Compliance Shortfall” DRAFT White Paper Vetting**

*The following REFERENCE DOCUMENTS were emailed to the roster prior to the meeting:*

- [08-10-17 Ref: Res Compliance Shortfall White Paper DRAFT – CLEAN 8.7.17](#)
- [08-10-17 Ref: Res Compliance Shortfall White Paper DRAFT – REDLINE 8.7.17](#)

The Chair overviewed the discussion ground rules clarifying that White Paper development is not a discussion of serial number tracking, but rather a discussion of the shortfalls of compliance that were previously enumerated by the WHPA Existing Buildings



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Energy Efficiency Action Plan (EBEE) Committee. The Compliance Committee is working to add ideas to that work. The Committee was directed to, “Stay away from serial number tracking!”

The Chair facilitated reference document vetting discussion.

### GAP#2 DISCUSSION: INSUFFICIENT TOOLS

WHPA Staff drew attention to Lea Haro’s (CEC) side bar comment at the bottom of 4 of the Draft White Paper that asked if there are suggestions for tools that target the 90% of those not in compliance.

- The Chair reported that an educational officer of sorts would be needed within each jurisdiction to provide education to the market.
- Gary Shushnar (SCE) commented that he does a lot of education in the building inspector/examiner area and reported that a constant complaint from that audience is that contractors constantly need education at the counter. He **suggested** requiring contractor continuing education units (CEUs) as a requirement of license renewal.
- The Chair **suggested** that education also needs to move out into the public as there is a very deep misunderstanding of requirements.
- Bob Wiseman (IHACI) commented that he did not disagree with the idea of CEUs, but cautioned that education specifically for how to pull a permit is difficult to do as each jurisdiction is different. He **suggested** that a constant process statewide is needed to help resolve the educational gap.
  - The Chair agreed that standardization is needed, but clarified that currently there is no standardized language.
- Lea Haro (CEC) asked if online resources would be helpful for contractors to gain education on how to pull a permit, etcetera.
  - The Chair commented that all resources are valuable. He noted that there are in-person training sessions that are often linked with Energy Code Ace. Citing his opinion, he **suggested** using a similar online resource with additional in-person sessions and other means for providing education of permitting and compliance.
  - Gary Shushnar (SCE) noted that IHACI has a Title 24 training module but that he was unsure what was included in it.
  - Bob Wiseman (IHACI) clarified that the referenced module is more related to CEC requirements than the permit process.
- The Chair clarified that many people do not know there is a need for a permit and that many of those who do know find the process overwhelming as there are over 420 ways of getting a permit.
  - Bob Wiseman (IHACI) commented that based on the OPWG’s contractor survey results, a statewide permitting system would be desired to address contractor frustration. He added that it “would go a long way to alleviating this problem for all parties involved in the process.”
- Eric Taylor (Enalaysys) **suggested** that one of the largest market drivers would be if the CEC approves some sort of certification in the online permitting system used.
- Cynthia Moore (CSLB) **suggested** that if there was a statewide online permitting system, CSLB could explore putting it in their testing system when contractor licenses are issued, which would force the education.
  - There was general agreement and noted appreciation by a number of meeting participants for the new idea suggested by Cynthia Moore (CSLB).

### **Meeting Next Steps**

The Chair confirmed that per the recurring schedule (the second Thursday of each month), the next Compliance Committee meeting is planned for October 12, 2017 from 8:30am – 9:30am PDT. The agenda will be distributed prior to the meeting, but is expected to include the *Best Practices in Online Permitting Memo* review and escalation vote, plus continued vetting of the draft “Understanding the Residential HVAC Compliance Shortfall” White Paper vetting and finalization, beginning with further discussion of Cynthia Moore’s (CSLB) suggestion.

### **Closing Comments/Adjournment**

Eric Taylor (Enalaysys) motioned and Eric Beriault (EnerGuy) seconded the motion to adjourn the meeting. The Chair adjourned the meeting at 9:36 a.m. PDT based on unanimous approval with no discussion.

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**Summary of Action Items and Key Decisions (from above)**

**ACTION ITEMS**

1. **ACTION:** WHPA Staff to post the August 10, 2017 meeting minutes in final version on the WHPA Compliance Committee webpage reflective of any email comments received. (DONE)
2. **ACTION:** WHPA Staff to incorporate meeting discussion into the “Understanding the Residential Compliance Shortfall” White Paper Draft. (DONE)

**DECISIONS**

1. **VOTE:** Both the *Contractor Online Permitting Survey Results Memo* and the *Jurisdictional Online Permitting Survey Results Memo* were approved for escalation to the WHPA Executive Committee.