



What You Should Know About

The Residential Energy Conservation Ordinance (RECO)



Department of Building Inspection
49 South Van Ness Avenue
San Francisco, CA 94103

General Information (628) 652-3200
Code Questions (628) 652-3720
www.sfgov.org/dbi

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San Francisco enacted a Residential Energy Conservation Ordinance effective September 20, 1982 and amended in 1983 and 1991, that requires residential property owners to provide certain energy and water conservation measures for their buildings. The intent is to lessen the impact of rising energy costs and water usage on renters and homeowners alike.

It is advantageous for all property owners to comply with the requirements now. Even if you do not intend to sell your property in the near future, the energy and water cost savings are immediate. You can do most of the work yourself now at your leisure, and save even more.

The following information is a summary of the code requirements found in Chapters 12 and 12A of the San Francisco Housing Code.

WHO MUST COMPLY?

Prior to sale, all owners of:

- Single and two family dwelling;
- Apartment buildings (including each condominium unit sold);
- Residential hotels.

Owner's compliance is also required when one of the following situations occurs:

- Metering Conversion:
As a condition for issuance of a Certificate of Inspection and Approval for metering conversion by the Department of Building Inspection (DBI). A metering conversion is defined as the removal of one or more units from the master to an individual meter;
- Major Improvements:
As a condition for issuance of a Certificate of Inspection and Approval upon completion of improvements having an estimated valuation as follows:
 - 1 & 2 family units - in excess of \$20,000;
 - 3 units and up, excluding residential hotels - in excess of \$6,000 per unit;
 - residential hotels - in excess of \$1,300 per unit;
- Condominium Conversion:
As a condition of issuance of a Certificate of Final Completion and Occupancy for a residential Condominium Conversion;

EXEMPTIONS FROM THE ORDINANCE

No inspection will be required for:

- Any residential building for which proof of compliance has been properly recorded;

- Any residential building that was granted a building permit application for its construction on or after July 1, 1978;
- Any mobile home;
- Any residential building or portion thereof, which is occupied as a hotel or motel unit and which has a certificate of use for tourist occupancy;
- Any portion of a residential building converted to a tourist hotel;
- Any building or portion thereof which is a live/work occupancy.

Title Transfer Exemptions:

Transfers of title which result from an operation of law rather than by purchase are exempt from the ordinance. Examples of such exemptions include:

- Transfers pursuant to court order, e.g., Probate Court; transfers under the Independent Administration of Estates Act are not exempted, unless ratified by a court order.
- Transfers as a result of default;
- Transfers by a fiduciary in the course of the administration of a trust, conservatorship, etc.;
- Transfers from one co-owner to one or more co-owners;
- Transfers to a spouse or certain relatives;
- Transfers between spouses as a result of divorce proceedings; and,
- Other transfers as defined in the ordinance.

WHAT THE ORDINANCE REQUIRES

Effective September 20, 1982, owners of residential property who wish to sell their property, must obtain a valid energy inspection, install certain energy (since 1991) and water conservation devices or materials and then obtain a certificate of compliance. All of this must occur prior to transfer of title of any residential buildings as specified in the ordinance, and the seller must provide a copy of the compliance certificate to the buyer prior to title transfer.

The following items are required to be complied with as applicable:

One and Two Family Dwellings:

- Insulate accessible attic space to a minimum value of R-19. Existing R-11 insulation is deemed acceptable as meeting ordinance requirements.

As of January 1, 1984, cellulose may be blown directly over all types of wiring without need of providing a two inch clearance. Fiberglass or other organic insulation materials may be blown directly over all types of wiring. All Electrical junction boxes, flues, and light fixtures must be kept clear or protected from all insulation materials. Prior to insulation in areas with knob and tube wiring,

the wiring system must be inspected and approved by a licensed electrical contractor and this signed approval, with the electrical contractor's state license number, must be submitted with the energy inspection report.

- Weatherstrip all doors leading from heated to unheated areas.

Combination rigid metal and vinyl bead type strip is the most durable and effective. All sides of the door must be weatherstripped, including the threshold. Foam and felt type strip is not acceptable, and all stripping must be permanently secured.

- Insulate hot water heaters.

A jacket of R-6 insulation value or greater must be provided on all applicable heaters. Pressure relief valves, if missing, must be provided prior to installation of jacket in order to prevent any explosion hazards. Additionally, the first 4 feet of hot water line must be insulated to a minimum R-4 value. Fiberglass pipe wrap or precut, closed cell foams with a wall thickness of 3/4" or greater are most commonly used for this job.

- Installation of low flow showerhead.

The maximum flow permitted through a showerhead is 2.5 gallons per minute (previously 3 gpm and amended in July, 1991) or less. If your showerhead does not meet this criteria, you will need to replace it with one that does. Showerheads need not be replaced when it is necessary to remove the supply piping to remove the showerhead.

- Caulk and seal openings in building exterior.

This is meant to reduce air infiltration by closing any openings or cracks greater than 1/4 inch wide. Pipes to plumbing fixtures, mail-slots without flaps, and open pantry vents are all examples of areas that can be sealed to prevent air infiltration.

- Insulate accessible heating and cooling ducts. Insulation with a R-3 value or greater must be provided for all heating and cooling ducts, including plenums. This insulation should be secured with 16d coated nails or baling wire. Duct tape tends to come apart and is not recommended. If located in a high traffic area, a "faced" insulation may be desirable.

Enactment of Water conservation Ordinances #346-91 and 185- 91 effective June 15, 1991 and October 20, 1991 respectively required the following water conservation measures.

- Faucet Aerators

An aerator with a flow restrictor is to be installed on all sink faucets that are designed to accept aerators. Faucets not designed to accept aerators are exempt.

- Low flush toilets and flush reducers on existing toilets.

All toilets must be either low flush (3.5 gallons per flush or

less) or be retrofitted to use less gallons per flush, using one of the following permanently - installed devices:

- Quick-closing flapper device;
- Dual-option flushing mechanism;
- Water saving kit for flushometer toilets;
- Another permanently-installed flush valve device which lowers the volume of water needed to flush the toilet.

NOTE: Water displacement devices such as toilet dams are acceptable and meet this criteria.

NOTE: Toilets which can not be modified without impeding functioning or flushing are exempt.

Apartments & Residential Buildings:

- All items required for one and two family dwellings, plus;
- Insulate steam and hot water pipes and tanks;
- Clean and tune boilers;
- Repair boiler leaks;
- Time clock control on the burner. Work pertaining to the boiler, including time clock control, must be performed by a licensed C-4 contractor will, after completing all required boiler work, affix a tag of compliance certification on the boiler time clock door or nearby.

POSTPONEMENT OF REQUIREMENTS

Application for a demolition permit will allow the postponement of the requirements of this ordinance for one year. Failure to demolish after one year will require immediate compliance with the ordinance.

HOW CAN YOU COMPLY?

- Obtain an energy inspection from one of the following:
 - THE DEPARTMENT OF BUILDING INSPECTION (DBI)/ HOUSING INSPECTION SERVICES (HIS) will inspect within one or two days after your call. Payment for the inspection must be made before the report can be released. If you desire to have DBI/HIS perform the inspection, call 628-652-3700, 8:00 AM to 5:00 PM, or visit 49 South Van Ness Avenue, 4th Floor. These City inspections are limited to conducting only the Energy Inspection. The Housing Inspectors will not include other code violations in the report nor can they do any of the required work.
 - A CERTIFIED PRIVATE ENERGY INSPECTOR, who will inspect for a fee (fees are not set by the City). A list of DBI certified inspectors is available at the Housing Inspection Services, 49 South Van Ness Avenue, 4th Floor, between 8:00 AM and 5:00 PM, for a copy. You can call 628-652-3700 for information regarding how to become a certified energy inspector.

After the inspection by one of the above, the owner or the owner's agent shall then file a copy of the Residential Energy & Water Conservation Inspection Form indicating the results of the Energy inspection with the Housing Inspection Services within 15 days of completing the inspection. A filing fee per Section 110, Table 1-N of the San Francisco Building Code is required.

NOTE: If you are converting your building to a condominium, DBI will perform the energy inspection as part of the total conversion inspection review, (at no additional charge for inspection or the filing of the Residential Energy & Water Conservation Inspection (Certificate of Compliance) Form.

- COMPLY WITH THE REQUIRED STANDARDS as specified by the inspector in the report. You may choose to perform the work yourself and greatly reduce the costs of compliance, or you may hire someone to perform the work.
- OBTAIN FINAL COMPLIANCE by having the Residential Energy & Water Conservation Inspection (Certificate of Compliance) Form completed by one of the inspectors designated below certifying that all the required items have been fully complied with.
 - The same inspector who did the initial inspection;
 - A DBI certified private energy inspector;
 - An authorized DBI inspector;
 - For 1 and 2 family dwellings only, if the work was performed by a State Licensed Contractor, the contractor, in this case, may sign the compliance certificate, provided that an initial inspection report was written by an authorized energy inspector.

After the Residential Energy & Water Conservation Form is properly signed by either the certifying inspector or contractor and the owner or his agent, the Central Permit Bureau copy of the compliance form shall be filed with the Housing Inspection Services Division at 49 South Van Ness Avenue, 4th Floor, as proof of compliance. A filing fee per Section 110, Table 1-N is required.

After filing & approval of the Residential Energy & Water Conservation Inspection (Certificate of Compliance) Form, the original document must be recorded by the building owner or his agent, with the San Francisco County Recorder's office. This recordation must occur prior to or concurrent with transfer of title.

SPECIAL APPEALS

A person may appeal the results of an energy inspection, if:

- There is disagreement regarding the requirements as determined by the energy inspector;
- The application of an energy ordinance measure is not cost effective.

There is a fee per Sec. 110, Table 1-N San Francisco Building Code required for the appeal. Appeals must be made to the Department of Building Inspection, within 10 working days from the date the completed inspection form was filed with DBI. The determination of the Director shall be final.

ESCROW ACCOUNT

(Energy Conservation Escrow Account) The seller or the seller's authorized agent may transfer responsibility for compliance to the buyer PROVIDED the following conditions are met prior to sale:

- A valid energy inspection has been performed and filed with HIS along with a Notice of Escrow Account (Form C).
- A written agreement signed by the buyer and seller which is placed into the escrow account and states the following:
 - Buyer agrees to comply within 180 days of transfer of title;
 - Seller agrees that in the case of buildings containing 3 units more, funds equal to 1% of the purchase price indicated on the accepted purchase offer, shall be placed in the escrow account. In the case of a single or two family dwelling, 1% of the purchase price not to exceed \$1,300 in any case, shall be placed in an escrow account and disbursed according to the terms of the ordinance.

NOTE: Not all title companies have agreed to hold these funds according to the terms of the ordinance. Consult with your title company first if you choose to transfer responsibility.

WHAT ARE THE COSTS?

The maximum amount you will have to spend in order to comply with the ordinance depends upon when you choose to comply, as well as the number of units in your building.

In the case of 1 or 2 family dwellings and individual condominiums and co-op units when complying as an entire building, the maximum expenditure will be \$1,300.

In the case of buildings containing 3 units or more (including condominiums), if you comply before you sell your property, your maximum expenditure will be 1% of the assessed value of the building. If you comply as a result of a pending sale, the maximum expenditure will be 1% of the purchase price as stated in the real estate sales contract.

The \$1,300 limitation applies ONLY to 1 and 2 family dwellings and condominium and co-op units.

QUESTIONS

Should you wish further information regarding the energy ordinance, call the Housing Inspection Services, at (628) 652-3700 between 8:00 AM and 5:00 PM. You may also visit the office at 49 South Van Ness Avenue, 4th Floor, San Francisco, CA 94103.



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Want a DBI Pro to brief your community / organization on permits and inspection issues? Please contact us at 628-652-3535 or DBI.Communications@sfgov.org and we will make it happen.