



# EAS Response to the Scottish Government's Energy Efficiency and Condition Standards in Private Rented Housing: A Scotland's Energy Efficiency Programme Consultation

June 2017

## **Part 1 – energy efficiency standards**

### **1.1 Do you think that only tenancies covered by the repairing standard should have to meet minimum energy efficiency standards?**

Yes all levels of tenancies should be included, it is difficult to make exceptions and therefore potentially miss vulnerable households who need the benefits of an energy efficient home.

### **1.2 We propose to link the minimum energy efficiency standard to the energy performance certificate as we think this is the most suitable mechanism. Do you agree?**

Yes

#### **Comments:**

Energy Performance Certificates (EPCs) are most accessible means of estimating the energy performance of a building, the EPC rating is also not sensitive to the location of the property meaning that the value set for the compliance threshold will not prejudice any particular area of the country. However, we should be mindful of the opportunities for fraudulent abuse of the EPC system which has been observed in its application to other policy areas, and in incentive schemes such as feed-in tariff and the renewable heat incentive. In addition, the 10 year legal lifespan of the lodged certificate could require some kind of declaration from the building owner to confirm that the current status matches that represented by the lodged certificate.

### **1.3 (a) Do you think there are elements of the energy performance certificate assessment that would need to be altered to support a minimum energy efficiency standard?**

Yes

#### **Comments:**

1.3 (a) The 10-year lifespan of the EPC means that abuse of the system is a concern. For the purpose of compliance with the Energy Performance of Buildings Directive (EPBD), the EPC should be required to be provided each time the landlord registers their property with the local authority (LA) (currently 3 years), at this point a declaration should be made to confirm that nothing has changed in the property since the EPC was carried out that would affect its energy performance.

The current level of scrutiny of the EPC is not fit for this purpose. Compliance with EPBD is for the most part a benign activity as there is currently no strong evidence that the market significantly values properties with a higher rating. Thus, the EPC for sale and rent of properties is not an influencing factor and so the vested interest between client and assessor is low risk. However, where there is a clear commercial gain that can be attracted depending

upon the property rating, then greater safeguards need to be included within the quality control of the EPC system than those already there, but which only serve the EPBD.

**1.3 (b) If so, what areas do you think would need to be changed and what evidence can you offer to support your view? :**

1. The 10 year validity of an EPC is too long a period for this purpose, thus the provision of a valid EPC at the point of landlord registration offers up an opportunity to introduce a validation process.

2. A wider debate needs to be opened which addresses the potential for abuse within the current EPC system where this is being utilised for commercial purpose which goes beyond the EPBD. This was started with the 'Smarter Audit' pilot scheme conducted by Department for Communities and Local Government (DCLG).

**1.4 Do you think that the minimum energy efficiency standard for private rented properties should be set at an energy efficiency rating of E in the first instance?**

Yes

**Please explain your answer:**

From a practical point of view, engaging with a sector which has not had to meet minimum standards in energy efficiency before would be best approached in a step-by-step method. We must be mindful that social landlords had the Scottish Housing Quality Standard (SHQS) for over 10 years before the Energy Efficiency Standard for Social Housing (ESSH) was brought into force. This is a particularly critical issue for the Private Rented Sector (PRS) given its very diverse management.

That said, clear information needs to be communicated to landlords to make the case that reaching a 'D' earlier may not be much of an additional burden, and in the long term, may be a better option for both the capital investment from the owner and the benefit conferred upon the occupants earlier rather than later.

**1.5 Do you think that the minimum energy efficiency standard should first of all apply only to those properties where there is a change in tenancy, and after that to all private rented properties?**

Yes

**Please explain your answer:**

In the initial rollout of the duty, the change of tenancy will be the point that is most easily adapted for this purpose. However, the period for the landlord registration scheme (LRS) is 3 years, and so from the point of implementation of the scheme, this should be the maximum period that should be allowed before implementation is mandatory. We would suggest that the LRS is the most appropriate instrument for administration of the duty going forward.

**1.6 Do you think that 1 April 2019 is the right date to start applying the minimum standard of E when there is a change in tenancy?**

Yes

**Please explain your answer:**

There must at the very least be a clear tax year cycle between the legal framework being laid in Parliament and when enforcement would be expected to occur.

This will allow the LA, LRS and other organisations e.g. Scottish Association of Landlords (SAL) and the Association of Residential Letting Agents (ARLA) to effectively communicate how landlords can comply with the duty. In addition, this will allow sufficient time for Scottish specific tax incentives to be brought forward and give landlords time to plan for significant works within the secured tenancy system.

**1.7 Do you think that 31 March 2022 is the right date by which all privately rented properties would need to meet the minimum standard?**

Yes

**Please explain your answer:**

In some cases, the measures required may be best suited to when the property is void, so sufficient time may need to be built in to allow compliance. The social rented sector had 5 years to comply with EESSH, so it would certainly fall in line with this approach to the enforcement of energy efficiency standards in other sectors of housing.

**1.8 Where a property has an EPC of F or G at the point of rental:**

**(a) do you think that we should require the owner to carry out a minimum standards assessment before renting the property out?**

Yes

**(b) do you think that we should allow a period of six months from the date of the minimum standards assessment to carry out the improvement identified by the assessment?**

Yes

**(c) do you think that the owner should have to provide a post-improvement EPC to prove that the necessary improvements have been made?**

Yes

**Please explain your answers:**

1.8 (a) The point for Compliance with the duty for an energy efficient property could occur at a few stages, each requiring the provision of a lodged EPC; at the point of rental for the tenant and marketing of a property for the purpose of rent. Additionally, we would call for the disclosure of the EPC rating for the property at the point of landlord registration. The issue currently for this new duty is that EPCs have been required for the first purpose since January 2008. EPCs provided at this time would have been valid for 10 years, and will have been produced using a now redundant version of the RdSAP model v9.81 underpinned by the SAP 2005 methodology. Subsequent to this, there have been revisions of the RdSAP

method 9.82, 9.83, 9.91 and 9.92 with two significant changes to the underlying SAP methodology, SAP 2009 and SAP 2012.

Compliance with the current EESSH is based upon SAP 2009 with lookup tables employed to convert the current SAP 2012 ratings to equivalent SAP 2009 versions. In order to future proof this duty, all compliance should be based upon the current version of SAP, namely 2012 and comply with the current RdSAP method and conventions. Thus for this reason if the lodged version of the EPC is prior to the current RdSAP 9.92 and RdSAP conventions v9.x, then both a new EPC and a Minimum Standards Assessment (MSA) should be required. If the lodged version of the EPC is current i.e. that it both meets the RdSAP methodology version and the conventions version, then a MSA could be produced from the lodged data, however this would still need a site visit in order for the assessor to make reasoned judgements on the applicability of measures for the property to comply with 'E', 'D' and higher banded energy efficiency scenarios.

1.8 (b) Yes assuming that the MSA does not propose an improvement scenario in which the real costs to comply would exceed the max capital allowance for this duty i.e. £5000 for band 'E' and a further £5000 to reach band 'D'. NB we would suggest at this point that the landlord demonstrate that they have discussed any potential investment with a sitting tenant and to confirm that the tenant(s) are unable to contribute towards the total real cost of the measures. Only the landlord investment should apply in the case of an exemption for excessive cost. In addition, any funds that can be attracted from ECO to assist in the delivery of the required energy efficiency measures would also be excluded from this exemption assessment.

For example, achieving a move from band 'F' to band 'D' will cost a total of £12,000. A combination of tenant contribution and ECO can provide £4000. In this case, it would not be reasonable to uphold an exemption on the basis of excessive cost as the landlord contribution is less than £10,000.

1.8 (c) The question should be, why wouldn't they want to reflect the impact of the changes made? The issue of non-compliance will have been established via the LRS or perhaps through the marketing of the property. Once the work has been completed, the sign off for the compliance would be much easier to administer if the lodgement of an EPC showing the compliant rating could be accessed via the national register. In addition, the LA could expect a PAS 20:30 'Declaration of Conformity' to be provided to validate the installation process. NB this may not need to be necessary for minor works e.g. low energy lighting, draught-proofing. NB for this system to operate effectively and to minimise administrative costs, the LA must be able to bulk query the EPC register.

**1.9 We think that all privately rented properties should have to meet the minimum standard by 31 March 2022. Where a property does not have an EPC of E:**

**(a) do you think that we should require the owner to carry out a minimum standards assessment by 30 September 2021 (the "backstop assessment" date)?**

Yes

**(b) do you think that we should allow a period of six months from the backstop assessment date to carry out the improvement identified by the minimum standards assessment?**

Yes

**(c) do you think that the owner should have to provide a post-improvement EPC to prove that the necessary improvements have been made?**

Yes

**Please explain your answers. :**

1.9 (a) Given that the compliance timescale is proposed to be 6 months, then this will provide landlords who still have 'F' or 'G' rated properties that have not changed occupation prior to this date sufficient time to have planned for energy efficiency works or to have agreed an extension or an exemption.

1.9 (b) Yes, the final date for compliance for 'E' banding needs to be fixed at a point no more than 3 years (cycle for the LRS) from the point of implementation of the legislation on energy efficiency in the PRS. At this stage this would mean that the final date for the MSA would be 30 September 2021 and gives a 6 month lead-in time for implementing measures.

1.9 (c) Same response as in Q1.8(c) above.

### **The assessment**

**1.10 We are proposing that there should be a new minimum standards assessment based on the EPC methodology that will tell an owner how to bring their property up to standard. Please tell us your views on the following elements of that proposal:**

**(a) that the assessment would use EPC methodology, since that is how we are proposing the standard is set;**

The EPC is already part of the property letting process, and should serve as an effective document to measure compliance with an energy efficiency standard. NB however its limitations should be understood, the rating itself is insensitive to many factors which are determinants of fuel poverty, and we should recognise that whilst it is desirable for those at risk of fuel poverty to live in energy efficient homes, that the EPC is a report on just that, 'energy efficiency'. We must not conflate progress in this area in isolation as meaning also that the household is removed from the risk of fuel poverty.

**(b) that the assessment would work out the lowest cost technically appropriate package of measures to bring the property up to standard, based on the average of costs used in EPC methodology;**

The Product Characteristics Database File (PCDF) data is used to inform the capital cost assessment for the MSA, these costs built into the PCDF are widely recognised as being a poor reflection of the market price and not sensitive to the proportion or extent of the works required and they cannot reflect the additional costs to deliver e.g. local access issues and the remote nature of some properties, in particular where this includes a crossing over water.

The PCDF costs were very tied to the Green Deal Assessment and as such were average UK figures. The Scottish Government does not need to adhere to this data set, and can devise its own assumed set of 'book' prices for the assumptions in the MSA. In addition, it could also add a rural premium factor in order to simulate the impact on prices for certain works in more remote areas.

Data on measure costs for Scotland could be derived from many sources e.g. ECO, LA HEEPS ABS, Home Energy Scotland managed loans schemes and perhaps within the national procurement framework for energy efficiency<sup>1</sup>. In any case, if landlords are seeking an exemption on the grounds of excessive cost, that this should be subject to evidence being provided by 3 quotes from contractors i.e. real prices, and that at least one of these quotes should be from a locally based contractor.

**(c) that the assessment would set out the package of measures to meet an energy efficiency rating of E, and separately of D, from the property's current rating;**

We would propose that the MSA should show three scenarios, the bronze standard at 'E', the silver standard at 'D' and the gold standard at 'C' or better. The minimum requirement would remain as is, so 'E' by end March 2022 with a further date to be confirmed for 'D'. However we also want to encourage more than the minimum at each stage, so offering the 'Gold' standard and providing the advice on how to achieve this should be the primary driver.

**(d) that the assessment would include a calculation of the property's EPC rating before identifying the appropriate measures, where there is no EPC under the current version of the EPC methodology;**

It will be difficult to assess the impact of this policy without having the 'before' assessment. In any case, all properties in the private rented sector should have an EPC.

**(e) that the assessment could include measures which are not currently in the EPC assessment, but which can be measured in the RdSAP methodology. If you agree with this proposal, please provide suggestions for what these measures might be, and what costs should be used for these;**

This does not make a lot of sense, the RdSAP methodology, version 9.92 is the currently employed calculation methodology for the EPC. What might make more sense is that improvement measures that can be modelled in full SAP version 9.92 could be employed (or another approved methodology). This would require a change in the current EPC lodgement system in order for the resultant SAP rating from full SAP to be registered for an existing home.

**(f) that the assessment would cost in the region of £120 - £160. Please explain your answers, and provide alternatives where applicable.**

The final cost for the MSA should also include for a post-completion EPC lodged on the register. NB if a current EPC exists, and this complies with both the RdSAP and conventions versions, then the XML data used to generate this assessment could be utilised for the purpose of a MSA. However, for this to make sense as a value judgement from a competent assessor, the MSA would have to be produced in conjunction with a site visit to the property, and in consultation with the building owner.

**1.11 Do you think that the assessment should only recommend a package of measures which improves both the energy efficiency and the environmental impact scores of the property?**

No

**Please explain your answer:**

There are a few examples of measures in which the impact would feature more on the Environmental Impact Rating (EIR) than the Energy Efficiency Rating (EER), namely switching to biofuels. Any measure which improves the building fabric will improve both the EER and the EIR. Switching between certain fuel types may have differential effects on EER and the EIR so e.g. moving from bulk LPG to mains gas is likely to have a big impact on the EER and a very modest positive impact on the EIR.

In any case, the proposal for this policy is driven by the need to achieve a minimum EER, and that is derived from the cost of energy and this should be where the focus is. If EIR is also improved, then this is a good outcome also. However, measures should not be excluded on the basis that they have a minimal or negative effect on the EIR.

**1.12 We propose to develop a new role of minimum standards assessor.**

**(a) Do you think that a new role of a minimum standards assessor is needed?**

Yes

**Please explain your answer:**

This role is probably going to mirror the already established role of Green Deal Assessor. However, the assessment requirement will be confined to the building only. Whilst it is a desirable outcome to have specific tailored face-to-face energy efficiency advice delivered in the home for the occupant i.e. the 'occupancy assessment', this is perhaps out with the scope of this policy. We would not like to see the situation arising where an assumption is made on the effective delivery of an energy advice service where this is not specifically part of any audit regime where there is an expectation of service delivery from the assessor.

Experience from the Green Deal does suggest that effectiveness of the energy advice element was extremely hard to monitor, and perhaps delivered in such a generic way as to be no better than an information leaflet.

**(b) If so, what additional skills beyond those of an EPC assessor would be needed?**

As the advice will be limited to only that which the SAP methodology can model, then the existing Green Deal Advisor (GDA) qualification should suffice for this purpose. Clearly a 'Chartered Building Surveyor' would be able to take this advice further, perhaps offering professionally indemnified advice on improvements that go beyond those only within the scope of SAP.

**(c) How long do you think it would take to get this in place?**

The GDA qualification is already in place, and organisations are already able to deliver this. However, given its re-purposing in Scotland, it may be a prudent move to have SQA review

its scope and lead on an industry backed reboot with a view to having Scottish educational institutions already registered with SQA to be able to deliver a qualification designed for the Scottish market.

**(d) Who do you think should maintain the register of assessors?**

**Please explain your answers.**

Currently both EPC and GDA qualified assessors are registered by 'approved organisations'. The requirement for a MSA could be added to this approval system. However, a degree of professionalism could be conferred upon this process by having this formally administered on behalf of Government by the Royal Institution of Chartered Surveyors (RICS). Registered assessors would not be 'Chartered' but affiliated to RICS, and would fall under its professional code of practice.

**1.13 What are your views on the existing advice and information provision provided by Scottish Government for landlords and tenants? What changes, if any, do you think are required?**

In the private sector, tenants will feel that they have little influence on the condition of the property that they rent. In some pressured housing areas, the simple fact that it is habitable is all that is required and some tenants may feel that they could jeopardise the on-going renewal of the short assured tenancy by raising the issue of property condition with their landlord.

Landlords who are registered with their local authority will have access to information on how to meet compliance with the legal system. For the most part, this will be their focus. The problem is not those who are registered, it is those who are not. More work needs to be carried out to make clear the penalties for non-registration of private sector rental property, and local authorities need to be provided with the means to take forward prosecutions in this area without excessive legal costs.

The MSA will offer up a clear focal point for information on the benefits of energy efficiency improvements and also on finance options for landlords. NB we would recommend that some research is carried out on the potential for monetary savings for tenants to manifest as a more secured tenancy. Avoiding the costs of 'churn' in the PRS should be seen as a positive financial gain for the landlord.

**1.14 What financial or fiscal incentives support – such as grant and loans, tax or otherwise - would you find most useful to help to accelerate the installation of energy efficiency measures and help landlords meet any proposed standards?**

In the initial stages of the policy, investment in band 'D' or higher improvement measures should offer landlords a taxable benefit on earnings for the year of installation. This should be recognised as a time limited offer and only available till end March 2022.

There may be issues of 'additionality' to be addressed in relation to access to Government funds, i.e. if there is a mandatory standard, then landlords will need to comply and so may fall out with the scope of any support that could be made available from grants. However, going further than the minimum standard may offer additional benefits. For that reason, we

support the step-by-step introduction of standards, rather than accelerating this to the point where 'additionality' could present a barrier to incentivising higher standards.

**1.15 What impact do you think the introduction of minimum standards would have on local supply chains for energy efficiency works?**

This is likely to be positive, however in order to ensure that standards compliance is met across the board, local suppliers are likely to need assistance with access to training and registration e.g. the Low Carbon Skills Programme (LCSP). This will need to be able to support the training required, but also support via the LCSP should be designed to allow micro and small businesses to claim support for this kind of training, even where it is mandatory.

**1.16 Do you think it would be helpful for assessors and installers to have a traditional buildings qualification that raises awareness and understanding of energy efficiency measures for older, traditional or vulnerable buildings built prior to 1919?**

Yes

**Please explain your answer:**

An energy efficiency and traditional building skills programme was developed in Scotland by Historic Environment Scotland (previously Historic Scotland) to supplement the GDA syllabus. It wasn't mandatory, and so didn't receive the same level of support from the industry as the GDA qualification did. This again comes back to the professional competence issue and one that under the stewardship of a professional body such as the RICS would be clarified.

No assessor should be offering advice on the improvements to a traditional building if they have no experience or specific competence in this area. Failure to adhere to this often leads to the unintended consequences that we see of inappropriate measures being recommended for older buildings.

Issues such as this could be consolidated as part of a review of the GDA qualification for its re-purposing to support the MSA process.

**1.17 Do you think there are additional consumer protection safeguards the Scottish Government should consider for the private rented sector?**

No

**Please explain your answer:**

The private rented sector does not require any additional consumer protections that are not already offered in other sectors for this kind of work. The issue is more the nature and effectiveness of these consumer protections across the board, there should be no place where the rigour for installations is less onerous.

This matter is dealt with under the 'Bonfield Review' and needs a whole industry systematic approach to quality of installation and a clear consumer charter.

**1.18 Do you think that local authorities should be responsible for enforcing the standard?**

Yes

**If not, why not, and what alternative would you suggest?:**

Given the PRS fit with the LRS, there does not appear to be any reasonable alternative to this means of effective administration across Scotland. Relevant information is held by the LA, and the powers can be implemented by amendment to the instruments that dictate the landlord registration scheme.

**1.19 Do you think that the penalty for not complying with the standard should be a civil fine against the owner?**

Yes

**If not, why not, and what alternative would you suggest?:**

This is really not within the scope of criminal matter. Civil matters are less costly on the public purse to pursue, so we would agree with the designation of this duty.

**1.20 We have proposed the following fines:**

- **£500 for failing to have a minimum standards assessment**
- **£1000 for failing to carry out the works within six months of the assessment.**

**Do you think these proposed fines are appropriate and proportionate?**

Yes

**Please explain your answer:**

The fines would appear to be on a par with other fines pursuant to the management of the PRS and the duties to provide an EPC for rent. However, this should be a recurring fine applied on an annual basis, failure each year to comply should attract the same fine.

This does leave the question that continued failure to comply is harming the occupant, and we would like to see some facility within the legislation to allow the LA to instruct the works and to recover the costs of this through the civil courts to avoid the occupant from being left with a sub-standard home whilst the landlord and the LA engage in the courts system.

**1.21 We have proposed some specific situations where owners should have longer than six months to bring their properties up to the minimum standard. Do you have any comments on these proposed situations in relation to:**

**(a) the proposed reasons?**

1.21 (a) Weather and access to suitably qualified and experienced contractors can be an issue at certain times of the year. We should avoid 'bottlenecking' the works into a condensed year, as this will only serve to artificially inflate the costs to deliver. If delaying works by a month or so means they can go ahead and at a cheaper cost, then we should not

have such an inflexible approach that forces works to the point where they may fall over the £5000 upper ceiling.

**(b) what evidence you think the landlord would need to provide for each?**

1.21 (b) Clear quotations (#3) that outline both the material and labour costs.

**(c) should there be other situations, such as the completion of condition works?**

1.21 (c) The system may also need to be sensitive to the progress of the local planning system for measures not deemed to be 'permitted development'.

**1.22 We have proposed some situations where we think owners should not be penalised for not carrying out the full improvement identified by the minimum standards assessment. Do you have any comments in these in relation to:**

**(a) technical reasons**

No specific comments.

**(b) legal reasons**

No specific comments.

**(c) excessive cost reasons**

No specific comments.

**(d) the proposal that this would remain valid for a period of not more than 5 years**

No specific comments.

**1.23 For local authorities to be able to enforce and monitor the proposed minimum standards:**

**(a) what processes do you think local authorities will need to have in place for**

**(i) normal compliance**

**(ii) monitoring extended periods for compliance**

**(iii) monitoring situations where not all of the improvements are made?**

**(b) what implications would this have for local authorities?**

We have no specific comments in this area. This will be a matter for Scottish LA's and their representative bodies.

**1.24 What opportunities do you think there are to combine enforcement of minimum energy efficiency standards with other action in the private rented sector?**

**Please explain your answer:**

As outlined earlier, the best fit for the enforcement of minimum energy efficiency standards for effective and expedient deliver is within the existing Landlord Registration Scheme.

**1.25 Do you think that we should set out now the minimum energy efficiency standard after 2022?**

No

**Please explain your answer:**

It is perhaps prudent to signal to the sector that further standards will be set in the future, however in order that we can avoid the potential issues around 'additionality' and access to Government support, that this should remain subject to a future review. This will allow the evidence to emerge on how the sector has reacted to the 'E' band requirement and so inform the more challenging implementation of the higher standards in the future. Incentives should though be devised and set within the Scottish taxation system now to encourage going beyond the 'E' band minimum as soon as possible.

**1.26 Do you think that the next standard should be to meet an EPC of D at point of rental from 1 April 2022, and in all privately rented properties by 31 March 2025?**

No

**Please explain your answer:**

This would be the subject of a future review, and also based on the evidence from the implementation of the 'E' band minimum.

**1.27 When increasing the standard to EPC D, we propose that the cost cap will be £5000 for properties with an EPC of E, and £10,000 for properties with an EPC of F or G (which would include any spend made to improve the property previously following a minimum standards assessment). Please tell us your views about this proposed cap.**

The cap should be subject to annual review in line with the consumer price index (CPI) or other market inflationary index. Comments have been made in other section relation to the operation of this cap, the cap should be real prices and also only assessed on the basis of the landlord contribution.

**1.28 What are your views on the provisions in general for exceptions to the D standard, including that a property which has an exception from meeting E should not automatically be excepted from meeting D?**

**Please explain your answer:**

This will depend on why the property was exempted? If an exemption is based on excessive cost, then perhaps post 2022, the additional budget taking the cap to £10,000 (index linked) would allow the measure to go ahead? So it shouldn't be assumed that an exemption at stage 'E' automatically means an exemption at stage 'D'.

An exemption based on listed building status is not likely to change regardless of the change in cap or energy efficiency level required.

**1.29 What do you think the main benefits would be of introducing a minimum standard higher than D?**

**Please explain your answer:**

The main benefit would be conferred upon the occupant in lower energy bills. However where measures such as external wall insulation have been part of the measures mix, then this may extend the lifespan of the building, increase its market value and make it more desirable compare to other similarly sized properties in the same area.

Additionally, where higher levels of energy efficiency are as a result of investment in low/zero carbon technologies, the plant owner may also gain a benefit in terms of Feed-in Tariff or Domestic Renewable Heat Incentive.

It is worth being mindful of the value of capital investment required to push properties beyond 'D' and the actual benefit that this has in relation to cost savings for the occupant and carbon savings realised. The nature of the EPC process, being based upon SAP, means that the proportion of pounds invested to pounds saved gets significantly less and less for each band moved upward. Moving the PRS to a minimum 'D' band will be a considerable achievement. It would therefore be somewhat perverse to enforce the installation of very expensive measures to move to 'C' or 'B' in some cases and this then forcing the PRS to increase rents to fund the investment. This would then be penalising the occupants in the same way that the Green Deal had been criticised for funding energy efficiency measures by applying a levy to the electricity bill of the occupant.

**1.30 We think that any increase in the standard beyond D would bring new challenges in the form of cost, technical considerations and alignment with the Climate Change Plan.**

**(a) are there other new challenges you are aware of?**

EAS has no view in this area.

**(b) How do you think we could address these challenges if we raised the minimum standard beyond energy efficiency rating of D?**

EAS has no view in this area.

**1.31 Please tell us about any potential economic or regulatory impacts, either positive or negative, that you feel the legislative proposals in Part 1 of this consultation document may have, particularly on businesses (including landlords).**

EAS has no view in this area.

**1.32 In relation to the interim Equality Impact Assessment, please tell us about any potential impacts, either positive or negative, that you feel the proposals in Part 1 of this consultation document may have on any groups of people with protected characteristics. We would particularly welcome comments from representative organisations and charities that work with groups of people with protected characteristics.**

EAS has no view in this area.

**1.33 To help inform the development of the Child Rights and Wellbeing Impact Assessment, please tell us about any potential impacts, either positive or negative, that you feel the proposals in Part 1 of this consultation document may have on children’s rights and welfare?**

**We would particularly welcome comments from groups or charities that work with young people.**

EAS has no view in this area.

**1.34 Do you have any suggestions for the monitoring and review framework?**

EAS has no view in this area.

**1.35 Do you have any other comments on the proposals set out in Part 1 of this consultation?**

NB the following section 2 is about the review of the repairing standard and has little to do with energy efficiency and so we have no comments to make on this section other than to support the view that the health and safety aspects of managed properties are a positive addition.

---

<sup>i</sup> A Framework Guide for Energy Efficiency and Refurbishment (N7), Scottish Procurement Alliance