

City of Ann Arbor
Green Rental Housing Regulations

Regulation Additions to Chapter 105, Sections 8:532 through 8:539 of the City of Ann Arbor, Green Rental Housing Ordinance

2024 Edition

R.1 Rental Energy Efficiency Requirements

At the time of the periodic rental housing inspection required by City Code Chapter 105 Section 8:511, a Dwelling or Dwelling Unit must achieve energy efficiency compliance through *one* of the two following pathways:

(1) *Home Energy Rating System Assessment Pathway:* A Dwelling or Dwelling Unit must undergo a Home Energy Rating System (HERS) assessment by a licensed Home Energy Rater and complete the suggested items on the report to reach a minimum Home Energy Rating System Score of 110; or

(2) *Checklist Pathway:* A Dwelling or Dwelling Unit must achieve a minimum efficiency score by selecting any combination of items with assigned point values on the Green Rental Housing Checklist.

R.2 Home Energy Rating System Assessment Pathway to Energy Efficiency Compliance

(1) The Requirement. Prior to the periodic rental housing inspection required by City Code Chapter 105 Section 8:511, a Dwelling or Dwelling Unit must undergo a Home Energy Rating System (HERS) assessment by a licensed Home Energy Rater and complete the suggested items on the report to reach a minimum Home Energy Rating System Score of 110.

(2) Submission of Home Energy Rating System Score. By the time of the periodic rental housing inspection required by City Code Chapter 105 Section 8:511, each Agent or Owner for each Dwelling or Dwelling Unit must submit a Home Energy Rating System Score to the City's Rental Housing Services.

R.3 Checklist Pathway to Energy Efficiency Compliance

(1) The Requirement. Prior to the periodic rental housing inspection required by City Code Chapter 105 Section 8:511, a Dwelling or Dwelling Unit must achieve a minimum Energy Efficiency Score by selecting any combination of items to participate in or complete from the Green Rental Housing Checklist.

(2) Minimum Energy Efficiency Score and Timing.

(a) *Compliance Period 1:* For periodic rental housing inspections six (6) months after the Effective Date of the Green Rental Housing Ordinance, Dwellings and

Dwelling Units using the Prescriptive Pathway must achieve an Energy Efficiency Score of at least 30/220 on the Green Rental Housing Checklist.

(b) *Compliance Period 2*: For periodic rental housing inspections three (3) years after the Effective Date of the Green Rental Housing Ordinance, Dwellings and Dwelling Units using the Prescriptive Pathway must achieve an Energy Efficiency Score of at least 80/220 on the Green Rental Housing Checklist.

(3) Green Rental Housing Checklist. The Green Rental Housing Checklist applicable to Dwellings or Dwelling Units using the Prescriptive Pathway is attached as **Exhibit A** to these Regulations.

(4) Attestation of Score. Prior to the periodic rental housing inspection required by City Code Chapter 105 Section 8:511, each Agent or Owner for each Dwelling or Dwelling Unit must submit a testament to the City's Rental Housing Services that the Dwelling or Dwelling Unit has achieved the applicable minimum Energy Efficiency Score. The testament form is attached as **Exhibit B** to these Regulations.

(4) Checklist Items to Achieve a Minimum Energy Efficiency Score. This section sets forth the criteria that must be met to achieve the available points for each item on the Green Rental Housing Checklist. A Dwelling or Dwelling Unit is not required to meet the criteria for all items on the Green Rental Housing Checklist. Instead, Owners/Agents may select to participate in or complete any combination of items to achieve the applicable minimum Energy Efficiency Score:

(a) Planning

(i) Complete an Energy Assessment (10 points):

- Any verified Energy Assessment can be used for completion, and the results of the assessment should be shown to achieve compliance.
- If the Energy Assessment provides a score, the Dwelling or Dwelling Unit need not achieve any minimum score to receive the available points.
- Examples of a qualifying Energy Assessment include but are not limited to: Ann Arbor Home Energy Advisor (HEA), Home Energy Score (HES), Home Energy Rating System (HERS), a home energy assessment completed by an assessor who has completed one of the following home energy certification programs: the American Society of Heating, Refrigerating, and Engineers Building Energy Assessment Professional certification, the Association of Energy Engineers Certified Energy Auditor certification, the Building Performance Institute Home Energy Professional Energy Auditor certification, the Residential Energy Services Network Home Energy

Rater certification, or any other third-party certification recognized or deemed equivalent by the U.S. Department of Energy.

- An Energy Assessment is only valid for eight (8) years. To achieve the available points, the Energy Assessment must have been completed within eight (8) years prior to the date of the periodic rental inspection.

(ii) Complete an Energy Improvement Plan (10 points):

- An Energy Improvement Plan will detail the Dwelling or Dwelling Unit's current energy usage, articulate improvement goals, and suggest how to achieve such goals.
- While the overall structure can be flexible to meet the needs of the Owner, at a minimum, the following information must be included in an Energy Improvement Plan:
 - *Existing performance*: details how the Dwelling or Dwelling Unit is currently performing. An Energy Assessment or a completed Green Rental Housing Checklist fulfill this requirement.
 - *Goals*: sets goals for improvement. At a minimum, the goals should include achieving compliance with all Green Rental Housing requirements.
 - *Actions and timelines*: determines what actions and/or upgrades are needed to achieve the goals set forth and the timeline for completing each action and/or upgrade.
 - *Roles and responsibilities*: indicates who is responsible for executing the Energy Improvement Plan.
 - *Resources*: lists the resources needed to achieve the goals.

(b) Sustainability, Health, and Education

(i) Allow Bike Parking (2 points): At least one space must be available per five (5) units, or occupants must be permitted to lock bikes in an exterior location of their unit such as a patio or balcony.

(ii) Curbside Compost Bins Are Provided (2 points): At least one curbside compost cart must be available for residents in the same location as each garbage and recycling bin.

(iii) Energy Efficiency Windows (4 points): All windows in the unit must be Energy Star rated or have a low e-coated window film rated by the National

Fenestration Rating Council (NFRC). The low e-coating can be integrated into the window itself or it may be a window film that is attached.

(iv) Provide Residents Free or Discounted Bus Passes (2 points): Each resident must be provided a free 30-day flex bus pass or one that is discounted at least fifty percent (50%) upon move-in. A new pass must be provided at the beginning of each 30-day period thereafter throughout the occupant's lease term.

(v) Provide Free Wi-Fi (2 points): Wi-Fi is available at no additional cost to the resident in each Dwelling or Dwelling Unit. Each resident will be responsible for their own router. To obtain the available points, Wi-Fi speed must meet the Federal Communications Commission (FCC) broadband speed benchmark of download speeds of 100 megabits per second and upload speeds of 20 megabits per second.

(vi) Furnished Unit (2 points): A furnished unit must include one (1) couch, one (1) coffee table, two (2) end tables, one (1) dining room table with four (4) chairs, one (1) bed per bedroom, one (1) refrigerator, one (1) microwave, and one (1) stove/range.

(vii) Habitable Room Area Has Access to Natural Daylight (2 points): Every Habitable Room Area, as defined by City Code Chapter 105 Section 8:500 has at least one window, sliding glass door, skylight, or other acceptable light transmitting media facing directly to the outdoors. The minimum total glazed area for every Habitable Room Area shall not be less than eight percent (8%) of the Habitable Room Area.

(viii) Provide Lawn Maintenance with All Electric-Powered or Manual Equipment (4 points): All equipment used in the routine maintenance of the lawn care must be all-electric or routine maintenance of lawn care must be done using manual equipment. This includes but is not limited to lawn mowers, trimmers/edgers, hedgers/tree trimmers, and leaf blowers.

(ix) Provide On-Site Clothes Washer and Dryer (2 points): Washers and dryers must be present and available for residents to use. Washers and dryers may be located either in each unit or in a communal laundry room shared by all residents.

(x) There is a Garden On-Site or Nearby (2 points): A garden, either one that can be used in each resident's space or a community option, is available to residents on-site or within a one quarter (1/4) mile radius of the Dwelling or Dwelling Unit.

(xi) Allow Outdoor Line Drying of Clothes (2 points): Residents are permitted to dry clothes outside. There is no prohibition against outdoor clothes drying

in the lease nor is there any policy enforced that prevents residents from drying clothes outside.

(xii) Participate in Pollinator-Aware Yard Care (2 points): Register your address as a Pollinator-Aware Yard Care program participant with the City of Ann Arbor. Complete the registration form and list practices taken to participate in the program.

(xii) Accept Affordable Housing Options and/or Has an Eviction Diversion Program (2 points): The Owner or Agent accepts housing vouchers designed to assist low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing. Options include but are not limited to:

- Section 8 Vouchers from the U.S. Department of Housing and Urban Development.
- The Housing Choice Voucher Program from the Michigan State Housing Development Authority.
- The Veterans Administration Supportive Housing Vouchers from the Department of Housing and Urban Development and the Veterans Administration.
- The Project-based Voucher program from the U.S. Department of Housing and Urban Development.
- The Family Unification Program from the U.S. Department of Housing and Urban Development.
- The Mainstream Voucher Program from the U.S. Department of Housing and Urban Development.

Alternatively, the Dwelling or Dwelling Unit may achieve the available points if the Owner or Agent provides a program that connects occupants to legal assistance in any potential eviction case.

(xiv) Residents Participate in a Rental Sustainability Session (10 points): Owner or Agent must host an annual event using curriculum developed by the City's Office of Sustainability and Innovations or the Owner or Agent must provide a recording of an event to all residents upon move-in and once annually. To achieve the available points, at least fifty percent (50%) of all residents in a Dwelling or Dwelling Unit must attend or view the recording.

(xv) Use Electric or Manual Equipment for Sidewalk Clearing in the Winter (2 *points*): All sidewalk clearing must be conducted using either electric (e.g. electric powered snow blowers) or manual equipment (e.g. shovels).

(xvi) Provide Space Cooling (2 *points*): Space cooling refers to any permanent technology that provides cooling to the Habitable Room Area. Examples include, but are not limited to, central air conditioning, window units, and ductless mini-split heat pump options.

(xvii) Use a Programmable Thermostat (2 *points*): All thermostats in the unit have the ability to adjust the times that the heating or air-conditioning is running and to set the temperature to a schedule.

(xviii) Use an Energy Star Certified Smart Thermostat (2 *points*): All thermostats in the Dwelling or Dwelling Unit are Wi-Fi enabled devices and automatically adjust heating and cooling temperature settings, and can be controlled via an application allowing the occupant to adjust the temperature from anywhere with an internet connection. These available points may be stacked with the programmable thermostat option above.

(xix) All Windows Can Be Opened (2 *points*): All windows, sliding glass doors, or skylights in the unit can be easily opened, or each Habitable Room Area has such a device that will adequately ventilate the room. The total area for ventilation shall be at least four percent (4%) of the floor area of the room served. Mechanical ventilation may be provided in lieu of natural ventilation if approved by the Building Official as affording ventilation in accordance with standard ventilation requirements in the Mechanical Code.

(c) Renewable Energy and Electrification.

(i) Majority of Electricity for the Dwelling or Dwelling Unit is Provided by Renewable Energy Either On-Site or Through a Green Pricing Program (8 *points*): At least fifty one percent (51%) of the electricity used in the unit is generated by renewable energy. This must be shown by an electric bill, solar modeling, green pricing participation agreement, or some other documentation.

(ii) Electricity is the Primary Type of Energy Used for Space Heating (15 *points*): All space heating in the unit must be provided primarily by electricity. Examples include baseboard heat, an electric furnace, a heat pump (air source or geothermal), or a hybrid electric and a gas backup system.

(iii) Electricity is the Primary Type of Energy Used for Water Heating (4 *points*): All water heating in the unit must be provided primarily by electricity. Examples include electric tank water heaters, electric on-demand water heaters, and heat pump water heaters.

(iv) Use Electric Clothes Dryers (*3 points*): The unit contains only electric clothes dryers. Examples include electric resistance and heat pump dryers. In the case of shared clothes dryer(s), a Dwelling or Dwelling Unit gets credit if the clothes dryer(s) allocated to it is/are electric.

(v) Use Electric Ovens and Ranges (*5 points*): The unit contains only electric ovens and/or ranges. Examples include electric resistance coils and induction cooktops.

(d) Insulation and Air Sealing

(i) Provide Air Sealing (*9 points*): Air sealing must be provided around floors, all windows, doors, and any other points of air infiltration, such that a blower door test shows a CFM50 roughly equal to the square footage of the household.

(ii) Insulate the Attic and Non-Attic Roof Areas (*9 points*): The attic must be insulated to a level of R-50 or greater. This could be 18" or more of blown in insulation or 8" or more of closed cell spray foam. Finished attics and ceiling areas with no attic above must be insulated to R-30 or greater.

(iii) Seal and Insulate Ducts (*9 points*): Ducts must be sealed to ten percent (10%) leakage or less and insulated with R-8 insulation or greater. A duct blaster test confirms current duct leakage.

(iv) Insulate Foundation, Rim Joists, and Crawl Space (*9 points*): Foundation walls and rim joists must be insulated to R-10 or greater, and crawl space vents must be air sealed.

(v) Insulate Walls (*9 points*): All exterior walls must have R-13 or greater insulation.

(e) Heating, Cooling, and Water Heating

(i) Medium-Efficiency Heat Pump with Gas Backup Heat (*15 points*): The Dwelling or Dwelling Unit must have an air-source heat pump with a minimum SEER rating of 16 and HSPF rating of 9.5, with gas furnace backup.

(ii) High-Efficiency Heat Pump with Gas Backup Heat (*30 points*): The Dwelling or Dwelling Unit must have an air-source heat pump with a minimum SEER rating of 20 and HSPR rating of 11, with gas furnace backup.

(iii) Low-Efficiency Heat Pump with Electric Resistance Heat (*10 points*): The Dwelling or Dwelling Unit must have an air-source heat pump with a minimum SEER rating of 16 and HSPF rating of 9.2, with electric resistance backup heat.

(iv) Medium-Efficiency Heat Pump with Electric Resistance Heat (20 points): The Dwelling or Dwelling Unit must have an air-source heat pump with a minimum SEER rating of 16 and HSPF of 9.5, with electric resistance backup heat.

(v) High-Efficiency Heat Pump with Electric Resistance Backup Heat (30 points): The Dwelling or Dwelling Unit must have an air-source heat pump with a minimum SEER rating of 20 and HSPF of 11, with electric resistance backup heat.

(vi) Geothermal (Ground Source) Heat Pump (30 points): The Dwelling or Dwelling Unit must have a geothermal heat pump system with HSPF 13 or higher.

(vii) Heat Pump Water Heater (15 points): The Dwelling or Dwelling Unit must have a heat pump water heater(s) using electricity to move heat from one place to another instead of generating heat directly. It can be a stand-alone water heating system or a combination water heating and space conditioning system.

(f) Appliances

(i) Dishwashers Are Energy Star Rated (1 point): All dishwashers in the Dwelling or Dwelling Unit must be Energy Star rated.

(ii) Use Heat Pump Clothes Dryers (1 point): All dryers in the Dwelling or Dwelling Unit are heat pump dryers, which are closed loop systems that operate by heating the air, using it to remove moisture from the clothes, and reusing it once the moisture is removed. In the case of shared clothes dryer(s), a Dwelling or Dwelling Unit gets credit if the clothes dryer(s) allocated to it is/are heat pump dryers.

(iii) Use Induction Ranges (1 point): All cooktops and ranges in the Dwelling or Dwelling Unit, use induction for heating. Induction cooking uses an electromagnetic field that transfers currents directly to the cookware placed on the glass surface.

(iv) Clothes Dryers Are Energy Star Rated (1 point): All clothes dryers in the Dwelling or Dwelling Unit must be Energy Star rated. In the case of shared clothes dryer(s), a Dwelling or Dwelling Unit gets credit if the clothes dryer(s) allocated to it is/are Energy Star rated.

(g) Water

(i) Dishwasher (2 points): A dishwasher must be available in the Dwelling or Dwelling Unit.

(ii) Grass and Landscaping Are Not Watered (2 points): There is no sprinkler system installed, and there is no operating procedure for watering the grass or landscaping.

(iii) Use Water Leak Detectors (2 points): Water leak detector(s) are installed in the Dwelling or Dwelling Unit. A leak detector can either be a whole-system unit that monitors the entire water delivery system or a system of floor detectors. If using floor detectors, there must be one at each appliance that is connected to the water system, including, but not limited to:

- Sink(s)
- Toilet(s)
- Water heater(s)
- Washing machine(s)

(iv) Use Low Flow Showerheads (2 points): All showerheads in the Dwelling or Dwelling Unit must meet the Environmental Protection Agency's (EPA) WaterSense standard rating of 2.0 Gallons Per Minute (GPM)

(v) Use Low Flow Sink Aerators (2 points): All bathroom sinks in the Dwelling or Dwelling Unit must meet EPA's WaterSense standard rating of 1.5 Gallons Per Minute (GPM).

(vi) Low Flow Toilets (2 points): All toilets in the Dwelling or Dwelling Unit must meet EPA's WaterSense standard rating of 1.6 Gallons Per Flush (GPF).

(vii) On-Site Clothes Washer is Energy Star Certified (2 points): The clothes washer must be Energy Star rated. In the case of shared clothes washers, a Dwelling or Dwelling Unit gets credit if the clothes washer(s) allocated to it is/are Energy Star rated.

(viii) Rain Garden or Bioswale on the Property (2 points): The property on which the Dwelling or Dwelling Unit sits contains a rain garden or bioswale that is certified by the Washtenaw County Water Resources Commissioner or other certifying entity.

(ix) Water-Efficient Landscaping (2 points): The common-use areas intended or made available for the use of building residents must meet all the outdoor water efficiency criteria of the EPA WaterSense Specifications (Section 4).

(x) WaterSense Labeled Irrigation System (2 points): If an irrigation system is present, both the spray sprinkler bodies and the irrigation controlling must be WaterSense labeled.

(h) Unlisted Innovative Measures. Measures instituted on the property that are not listed here and have a direct energy efficiency, renewable energy, or sustainability impact. Owners/Agents may request consideration of such measures for compliance with the Green Rental Housing Ordinance to the Office of Sustainability and Innovations Director for approval. The Director retains sole discretion to approve or deny such requests.

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