

**City of Ann Arbor**  
**Energy and Water Benchmarking and Disclosure Regulations**  
**Regulation Additions to Chapter 104, Sections 8:451 through 8:479 of the City of**  
**Ann Arbor, Energy and Water Benchmarking and Disclosure Ordinance**  
**2025 Edition**

**R. 1: Definitions**

Terms defined in Chapter 104 Section 8:452 are hereby incorporated for reference in these Rules. Terms not defined in Chapter 104 Section 8:452 will have the same meanings as those defined by the Benchmarking Tool. The Manager may determine alternate definitions for any term, and that definition will be applied to all Covered Properties.

**R. 2: Newly Identified Properties**

- 1) A Property identified as a Covered Property more than 30 days prior to a June 1 reporting deadline is required to submit a Benchmarking Report for the previous calendar year by June 1.
- 2) A Property identified as a Covered Property less than 30 days prior to a June 1 reporting deadline may request a three-month extension to the reporting deadline. If approved, the Owner of the Covered Property must submit a Benchmarking Report for the previous calendar year by September 1.
- 3) Newly constructed properties must submit a Benchmarking Report by June 1 of the first year following a complete calendar year of occupancy.
  - a. Example: A newly-constructed building that receives its Certificate of Occupancy on August 20, 2025 will be occupied for the entire 2026 calendar year, and is subject to an initial compliance deadline of June 1, 2027.
- 4) If identified in the Covered Property List for a given Benchmarking Reporting cycle, lack of notification by the Manager does not relieve the Owner of a Covered Property from the responsibility to comply with the requirements of the Benchmarking Ordinance.

**R. 3: Changes in Ownership of a Covered Property**

- 1) The Owner of a Covered Property on record as of a June 1 reporting deadline is required to submit a Benchmarking Report for the portion of the prior calendar year they were listed as the Owner.
- 2) When ownership of a Covered Property changes, the new owner is not responsible for submitting Benchmarking Reports that were not submitted for past reporting deadlines. The new Owner must submit a Benchmarking Report

for the portion of the prior calendar year they were listed as the Owner by the first June 1 reporting deadline following taking ownership of a Covered Property, and every year thereafter as long as they remain the Owner of the Property.

## **R. 4: Benchmarking Reports**

- 1) Property Use Types
  - a. If a Covered Property contains multiple property use types, the Property should follow ENERGY STAR Portfolio Manager (ESPM) best practices or recommendations, and/or direction from the Manager on how to detail multiple property use types.
- 2) Default Values
  - a. Any default, temporary, or estimated energy and water values, and default, temporary, or estimated property use details, shall be labeled as such in the Benchmarking Tool. The Manager may require these values to be updated with real values if determined to be unrepresentative of the Property and its energy and/or water use.
- 3) Units
  - a. Aggregated Whole-Building Data must be entered in the Benchmarking Tool using the following units.
    - i. Electricity: kilowatt hours (kWh)
    - ii. Natural Gas: hundred cubic feet (CCF)
    - iii. Water: hundred cubic feet (CCF)
    - iv. Diesel and other fuel oils: gallons (Gal)
    - v. Propane: hundred cubic feet (CCF)
  - b. A Benchmarking Report may not be considered complete if energy or water usage is recorded with units other than those listed in this section.
- 4) Reporting as a Campus or as Individual Buildings
  - a. To be compliant with the requirements of City Code Chapter 104 Section 8:454, a Covered Property with more than one building on the property must report the building(s) as individual building(s) or as a Campus as indicated below.
    - i. Covered Properties over 20,000 square feet of Gross Floor Area as defined in City Code Chapter 104 Section 8:452 that meet the definition of “Campus” in City Code Chapter 104 Section 8:452 must report as a Campus under a single Ann Arbor Benchmarking ID (AAID) to achieve compliance with this ordinance.
    - ii. Covered Properties over 20,000 square feet of Gross Floor Area with multiple buildings that do not meet the definition of “Campus” in City Code Chapter 104 Section 8:452 should benchmark and report each building over 20,000 square feet of Gross Floor Area individually with a separate AAID. Buildings under 20,000 square feet of Gross Floor Area are not considered Covered Properties.

## **R. 5: Accessing Utility Data**

- 1) City Code Chapter 104 Section 8:453 details three ways in which an Owner of a Covered Property may access Aggregated Whole-Building Data for energy and water use:
  - a. Obtaining Aggregated Whole-Building Data from a utility; or
  - b. Collecting data from all tenants; or
  - c. Reading a master meter.
- 2) If the Owner of a Covered Property does not have access to Aggregated Whole-Building energy and water data, such Owner shall request Aggregated Whole-Building Data from each utility that provides energy or water service to the Property. If a Utility cannot provide Aggregated Whole-Building energy or water data, the Owner of a Covered Property shall request Tenant energy and water data using [a form provided by the City](#).
  - a. The Owner of a Covered Property must request Aggregated Whole-Building Data from each utility before requesting data from tenants.
- 3) If a Covered Property is unable to access Aggregated Whole-Building Data from one or more, but not all, utilities, an Owner of a Covered Property shall be considered in compliance with the reporting requirements of Chapter 104 with respect to the Property if:
  - a. The Owner provides documentation to the City of which data they are unable to obtain from their utilities, directly;
  - b. The Owner provides documentation to the City that they have requested data directly from tenants, in place of this Aggregated Whole-Building Data; and
  - c. The Owner has used the Benchmarking Tool to submit a Benchmarking Report for the Property using all information otherwise available to the Owner. Information otherwise available to the Owner may include, but is not limited to:
    - i. Property address;
    - ii. Primary use;
    - iii. Gross floor area;
    - iv. Site and source energy use intensity;
    - v. Weather normalized site and source energy use intensity;
    - vi. The ENERGY STAR score, where available;
    - vii. Total annual greenhouse gas emissions;
    - viii. Monthly energy use, by fuel type;
    - ix. Indoor water use and water use intensity (consumption per gross square foot);
    - x. Outdoor water use (where available);
    - xi. Total yearly water use;
    - xii. The ENERGY STAR Water Score, where available; and
    - xiii. General comments, if needed, to explain the Property's ENERGY STAR scores.

4) Ann Arbor Utility Contact Information:

- a. Energy
  - i. DTE Energy Data Hub:  
[energypartnership\\_account@dteenergy.com](mailto:energypartnership_account@dteenergy.com)
  - ii. DTE Business Customer Service: [custcarecorr@dteenergy.com](mailto:custcarecorr@dteenergy.com) or
  - iii. DTE Landlord Customer Care: **(800) 482-8720** or  
[landlord\\_acct@dteenergy.com](mailto:landlord_acct@dteenergy.com)
  - iv. Constellation Energy:
    - 1. Commercial & Industrial Gas: 844-200-342
    - 2. Commercial & Industrial Electric: 844-636-3749
    - 3. Small/Medium Business Utility Markets: 833-848-6938 or  
[home@constellation.com](mailto:home@constellation.com)
- b. Water
  - i. City of Ann Arbor Water
    - 1. Requesting Bills: [customerservice@a2gov.org](mailto:customerservice@a2gov.org)
    - 2. Assistance setting up automatic water data through AquaHawk and ENERGY STAR Portfolio Manager:  
[benchmarking@a2gov.org](mailto:benchmarking@a2gov.org)
- c. City of Ann Arbor Benchmarking Team
  - i. For any other assistance needed to obtain DTE, Constellation, or City Water data: [benchmarking@a2gov.org](mailto:benchmarking@a2gov.org)

## **R. 6: Incomplete Data from Utility**

1. If the Aggregated Whole-Building energy or water data provided by a utility is incomplete or incorrect, the Owner of a Covered Property must notify the utility of the missing or incorrect data, in writing, detailing:
  - a. The tenant(s), unit(s), service address(es), and/or meter(s) missing data or receiving incorrect data;
  - b. The start and end date of each period of missing or incorrect data; and
  - c. If complete data is provided but is incorrect, the reason the data is not correct.
2. If the Utility fails to provide the missing or corrected data requested within 30 days, an Owner of a Covered Property shall be considered in compliance with the reporting requirements of Chapter 104 with respect to the Property if:
  - a. The Owner provides documentation to the City that they have requested the utility provide the missing or incorrect usage data specified in this section; and
  - b. The Owner has used the Benchmarking Tool to submit a Benchmarking Report for the Property using all information otherwise available to the Owner. Information otherwise available to the Owner may include, but is not limited to:
    - 1) Property address;
    - 2) Primary use;

- 3) Gross floor area;
- 4) All other utility usage data available to the Owner;
- 5) Site and source energy use intensity;
- 6) Weather normalized site and source energy use intensity;
- 7) The ENERGY STAR score, where available;
- 8) Total annual greenhouse gas emissions;
- 9) Monthly energy use, by fuel type;
- 10) Indoor water use and water use intensity (consumption per gross square foot);
- 11) Outdoor water use (where available);
- 12) Total yearly water use;
- 13) The ENERGY STAR Water Score, where available; and
- 14) General comments, if needed, to explain the Property's ENERGY STAR scores.

The Owner of a Covered Property is not required to request energy or water usage from tenants to correct or complete incorrect or incomplete data provided by a utility, provided such utility offers Aggregated Whole-Building or property data.

## **R. 7: Verifying Data is Accurate and Complete**

- 1) If a utility serving a Covered Property offers Aggregated Whole-Building Data through an online portal, the City may request access to this portal to verify energy or water usage for a Covered Property.
  - a. The Owner of a Covered Property must provide the City with access to the online portal within 30 days of the City's request for access.
- 2) If an Owner's Aggregated Whole-Building Data is only available through an online account or portal within which billing and/or financial information is accessible, the City does not require access to said online portal.
  - a. The City may instead request a complete exported data set from said online portal tool to verify that the energy or water usage in question is complete and accurate.
  - b. A Covered Property must provide the City with this exported data set within 30 days of the City's request.

## **R. 8: Exemptions**

1. Requests for exemptions from submitting a Benchmarking Report or from the Disclosure clause of the Benchmarking Ordinance must be submitted through the Exemption request form link provided by the Manager. For the 2025 reporting deadline, this is <https://ann-arbor.beam-portal.org/helpdesk/tickets/submit/20/?org=City%20of%20Ann%20Arbor>.

## **R. 9: Requesting Removal from Covered Property List due to Gross Floor Area**

Covered Properties requesting an exemption due to the Covered Property's Gross Floor Area being less than 20,000 square feet must include documentation verifying that the Property's Gross Floor Area is under 20,000 square feet in accordance with the definition of Gross Floor Area in City Code 104 Section 8:452 for the request to be considered.

## **R. 10: Condominiums**

- 1) Condominiums are considered Covered Properties required to comply with the Benchmarking Ordinance.
- 2) Condominiums seeking an exemption under City Code 104 Section 8:456 must certify, with supporting documentation, that all units in the Condominium are solely occupied by the board of owners' association or by the master association, in the case of a condominium where the powers of an owners' association are exercised by or delegated to a master association.
  - a. If all units in the Condominium are owned solely by the board of owners' association or by the master association, but If at least one unit in the Condominium is offered for lease, rental, or similar commercial arrangement to any person or entity other than a member of the board of owners' association or the master association, the Condominium is not exempt and must report.

## **R. 11: Cooperative Housing**

- 1) Cooperative Housing properties are considered covered properties required to comply with the Benchmarking Ordinance.
- 2) Cooperative Housing properties seeking an exemption must certify, with supporting documentation, that all units in the property are solely occupied by members of the Cooperative's board of directors.
  - a. If all units in the Cooperative are owned solely by the board of owners' association or by the master association, but one or more units are offered for lease, rental, or similar commercial arrangement to any person or entity other than a member of the Cooperative's Board of Directors, the Cooperative is not exempt and must report.