

Ann Arbor Energy and Water Benchmarking and Disclosure Ordinance FAQs

Updated March 2024

What is benchmarking?

Benchmarking is an easy and fast process that measures a building's energy and water use and compares it to an average for similar buildings. It allows owners and occupants to understand their building's relative energy performance and helps identify opportunities to cut energy waste.

What is disclosure?

Transparency provides credible and consistent information to real estate stakeholders. Transparent data inspires action and incentivizes owners to improve the performance of their buildings.

Why is the City of Ann Arbor requesting this information?

The City of Ann Arbor has adopted a city-wide goal of achieving a just transition to carbon neutrality by 2030. [A²ZERO](#) is the plan to achieve this goal, which is adopted by City Council. The A²ZERO Plan covers seven strategies to reduce emissions in Ann Arbor, including those from operating buildings. These strategies include increasing the energy efficiency of buildings, converting them to use electricity instead of natural gas, and generating that electricity with renewable sources.

Benchmarking and disclosing energy and water use is included in the A²ZERO Plan, along with policies addressing other building types like single family housing. The energy and water benchmarking and disclosure ordinance is intended to promote the safety, health, welfare, and comfort of Ann Arbor residents and businesses by accomplishing the following:

- Allow business and property owners to make informed choices and motivating improvements in building energy and water performance. Building owners can access aggregated whole-building data, regardless of if their building has tenants.
- Promote the efficient use of energy and water and reduce the emission of greenhouse gases.
- Inform the design of new resources to support different building types to improve energy and water performance.
- Allow potential and current renters or lessees to compare the true cost of housing or commercial spaces, including utility costs.

Where can I read the ordinance text?

[The ordinance text is available here.](#)

Do I need to comply with this ordinance?

Properties and/or buildings greater than 20,000 square feet need to comply with this ordinance. If a property is multifamily housing, senior living, hotels, hospitals, or K-12 schools and the total square feet of the property is greater than 20,000 square feet, the property needs to comply with this ordinance.

[A Covered Building List is available on the City website.](#) This is a draft list subject to removals and additions based on additional information. **DISCLAIMER:** Please note that if you own a property that meets the Ordinance thresholds but is not listed in the covered properties list, the owner of the buildings must still comply with the ordinance.

If your building is included on the Covered Building List and it is smaller than 20,000 square feet, please email benchmarking@a2gov.org.

What actions do I need to take?

Building owners or their representatives are responsible for benchmarking and submitting a report for properties covered by the ordinance. Building owners need to complete the following actions to comply with the ordinance:

1. Create an ENERGY STAR Portfolio Manager account.
2. Add their property details in ENERGY STAR Portfolio Manager.
3. Add energy and water data for their property in ENERGY STAR Portfolio Manager.
4. Submit an annual benchmarking report to the City of Ann Arbor by sharing their property in ENERGY STAR Portfolio Manager.

A summary of these steps and links to guides is available in [the Compliance Checklist](#).

What if I do not take these actions?

The City's priority is to provide assistance to help building owners benchmark their properties. Please contact benchmarking@a2gov.org if you need support benchmarking your building.

Building owners that are responsible for benchmarking and submitting a report for properties covered by the ordinance and do not do so will be subject to a civil infraction and a fine.

Do I need to pay to comply with this ordinance?

There is no fee to submit a benchmarking report to the City.

The [Ann Arbor 2030 District](#) offers free benchmarking services to member buildings. There is no cost for Property Owner/Manager membership or to benchmark your building(s). Contact the District at A2benchmarking@2030districts.org to learn more.

Does this program require that I make changes to my building(s)?

There is no requirement to make any changes to your building(s) to comply with the Energy and Water Benchmarking ordinance.

I think my building may be exempt from this ordinance. How do I apply for an exemption?

The following buildings are exempt from benchmarking for one calendar year:

- The property did not have a Certificate of Occupancy or temporary Certificate of Occupancy for the full calendar year;
- The property had a physical occupancy of less than 50% over 10 months of the calendar year;
- The property was in foreclosure;
- A demolition permit for the entire property was issued during the calendar year;
- The property is solely occupied by the building owner, and is not offered for lease or rental.

The following buildings are still required to benchmark and submit a report to the City, but are exempt from data transparency:

- If the energy and water benchmarking data would disclose trade secrets;
- If sharing the energy and water benchmarking data would not be in the public interest.

Exemptions are applied for one calendar year. You will need to submit another application in the following year if your building is still exempt.

[You can submit a ticket for an exemption here.](#)

Tenants pay for energy and/or water bills for a portion or all of my building. Am I exempt from this ordinance?

No, the building owner is still required to benchmark and submit a report for the property. In many cases, aggregated whole-building energy data is available to building owners. This aggregated whole-building energy data allows building owners to understand the performance of the building without compromising the privacy of their tenants. Depending on the number of tenants a building has, accessing this data may not require any action from the tenants.

In order to access this aggregated whole-building energy data, building owners or their representatives should contact the Ann Arbor / Washtenaw 2030 District. The [Ann Arbor 2030 District](#) offers free benchmarking services to member buildings. There is no cost for Property Owner/Manager membership or to benchmark your building(s).

Contact the District at A2benchmarking@2030districts.org to learn more.

My property is multifamily housing. How do I benchmark my buildings?

Properties that are multifamily housing, senior living, hotels, hospitals, or K-12 schools that are made up of multiple buildings need to submit a benchmarking report as a campus (or a single,

summary report). All buildings associated with the property need to be included in the report. If the property covers multiple parcels, a single Ann Arbor Benchmarking ID (A2BLD-#####) needs to be assigned for the property. Please contact benchmarking@a2gov.org to request this.