



February 5, 2024

Chairman Spencer and 2024 IECC Appeals Board Members,

I offer these comments on behalf of the Leading Builders of America (LBA) regarding appeals challenging the scope, intent and consensus building approaches that contributed to the 2024 International Energy Conservation Code (IECC). I encourage you to consider my comments along with the presentations from LBA representatives who will participate in the upcoming hearings.

LBA represents 21 of the largest production home builders in the United States. Our members collectively build more than 40 percent of all new homes in the nation at all price points. On behalf of the industry, two employees from LBA member companies voluntarily dedicated hundreds of service hours to the Residential Consensus Committee that developed the 2024 IECC.

We commend the Residential Consensus Committee and International Code Council (ICC) staff for developing a code that is poised to deliver significant levels of efficiency and affordability when compared to the 2021 IECC. The 2024 IECC is anticipated to deliver a comparative energy savings of more than 7 percent while replacing costly building envelope mandates with more cost effective alternatives and establishing a sensible groundwork for electrification and solar readiness. This achievement was made possible by a fair and orderly development process that was conducive for achieving equitable compromises among a diverse group of stakeholders; consistent with the ICC's Council Policy 28.

Various appeals from five organizations are challenging the appropriateness of including proposals such as electric vehicle (EV), solar, and electric readiness as well as the official guidance and consensus building approaches that informed more than 18 months of the Residential Consensus Committee's work. It is clear and incontrovertible that that the approach used by the committee was consistent with the ICC's policies aimed at encouraging decarbonization and greenhouse gas reduction. Therefore, these provisions are clearly appropriate to be included within the main text of the code.

In March 2021, the ICC Board of Directors approved a new scope and expanded intent for the IECC that sets a clear glidepath towards the achievement of zero energy residential buildings by 2030. On February 15, 2022, ICC Vice President of Technical Services Mike Pfeiffer stated in a memorandum that, "any content within the scope and intent of the [IECC] code may be included in either the body of the code as minimum requirements or as an adoptable appendix based on the determination of the responsible Consensus Committee."<sup>1</sup> This stance was again reiterated by Mr. Pfeiffer during subsequent meetings of the Commercial and Residential Consensus Committees.

The ensuing deliberations performed by the committee members and working groups, which were overseen by ICC staff, were subject to lengthy public review and comment periods. These working groups, including the one that debated and discussed the "omnibus proposals," were open to all members of the Residential Consensus Committee. The individual proposals were considered

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<sup>1</sup> Mike Pfeiffer, ICC Memorandum Re: Discount Rates and Code Conduct (Feb. 15, 2022).

multiple times and voted upon individually and in compliance with ICC policies. Furthermore, in March 2023, members of each Consensus Committee conveyed to the board that they had, for the prior year, and would for the remaining negotiations, rely on Mr. Pfeiffer's guidance unless they received notification from the board that it was not reflective of the board's position on the code's scope. No such notification from the ICC Board was received.

The IECC's final balloting received affirmative votes from 91% of Residential Consensus Committee members with energy advocates, state and local officials, code officials, industry representatives and others joining home builders in support. This is a far cry from the old process which was a divisive winner-take-all endeavor that was ripe for abuse. Therefore, it is obvious that the ICC Board's decision to move to a standards development process was appropriate and timely.

By successfully balancing competing viewpoints and focusing on good building practices and consumer protection, the 2024 IECC furthers ICC's stated objective of gradually increasing energy efficiency and creating pathways to the achievement of zero energy buildings presently and by 2030.<sup>2</sup> Central to this objective are provisions that accommodate and allow for incremental adoption of renewable energy sources. Such an approach reduces market disruption and serves as the basis for discussions on future versions of the IECC. Additionally, lowering costs for future convertibility to renewable energy sources and electric only consumption furthers the IECC's intended focus on consumer savings and return on investment much more than costly mandates of carbon intensive materials that offer imperceptible energy use improvements.

In conclusion, the Appeals Committee has a clear choice, either:

- Reject the aforementioned appeals and accept countless hours and many months of work, that serve as strong validation of the steps the ICC has taken, using tried and true processes, to make the IECC a truly consensus-based document that advances key climate goals, is poised for broad adoption, and will inform future steps towards the IECC's stated net zero goal, or
- Accept the appeals and irreparably damage the consensus process by undermining the legitimacy of the committee, its decision making and the ICC as a whole. Accepting the appeals will also erode the substantive benefits of the 2024 IECC rendering similar exercises in compromise and consensus building for the 2027 IECC impossible and imperiling the most important component of the ICC's efforts to address climate change.

We, along with more than 90 percent of the Residential Consensus Committee, believe the choice is clear and we appreciate your efforts to bring fairness and stability to the IECC's development process.

Sincerely,



Ryan Marshall, President and CEO, PulteGroup  
Chairman, Leading Builders of America

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<sup>2</sup> International Code Council, *Leading the Way to Energy Efficiency: A Path Forward on Sustainability to Confront a Changing Climate*, p. 2 (2021).