



NATIONAL
MULTIFAMILY
HOUSING
COUNCIL



December 11, 2023

Dominic Sims
Chief Executive Officer
International Code Council
200 Massachusetts Ave, NW
Suite 250, Washington, DC 20001

Via email

Dear Mr. Sims:

The National Multifamily Housing Council (NMHC) and Building Owners and Managers, (BOMA) International are appealing provisions of the draft 2024 International Energy Conservation Code (IECC) that are out-of-scope of the IECC, fail to meet the intent of the IECC, or that are both out-of-scope and fail to meet the intent of the IECC.

Provisions incorporated in the IECC that are out-of-scope or that fail to meet the intent of the IECC represent material and significant irregularities of process.

NHMC and BOMA International are filing four distinct appeals addressing the following provisions:

- Requirements to provide electric vehicle charging infrastructure. Such provisions are out-of-scope of the IECC.
- Requirements to provide demand responsive controls for certain mechanical and electrical equipment. Such provisions are out-of-scope and fail to meet the intent of the IECC.
- Requirements to provide energy storage systems or to reserve space for such systems. Such provisions fail to meet the intent of the IECC.
- Requirements to achieve greater energy efficiency performance when using combustion or electric resistance equipment for space or service water heating instead of heat pumps. Such provisions fail to meet the intent of the IECC, violate foundational principles of the IECC to not give preferential treatment to particular types of products, and run afoul of federal equipment preemption requirements.

The specifics of each appeal are detailed in the accompanying documents. Thank you for your consideration and commitment to an equitable energy code development process. If you have any questions, please contact Greg Johnson at gjohnsonconsulting@gmail.com.

Sincerely,

Paula Cino
National Multifamily Housing Council

Don Davis
Building Owners and Managers Association International