

SUMMARY OF THE CURRENT SITUATION OF THE ENERGY CERTIFICATION OF BUILDINGS AFTER THE ADOPTION OF THE ROYAL DECREE 235/2013.

➤ What type of property are required to have an Energy Certificate?

- a) New constructions.
- b) Existing buildings or parts of buildings sold or rented to a new tenant, provided they do not have a valid certificate.
- c) Buildings or parts of buildings in which a public authority occupies a total useful floor area over 250 m² and are frequently visited by the public.

➤ Properties excluded are:

- a) Buildings and monuments officially protected.
- b) Places of worship and for religious activities.
- c) Temporary buildings (up to two years).
- d) Industrial buildings, defence and agricultural or portions thereof, in part for workshops, industrial, defence and non-residential agricultural processes.
- e) Isolated buildings or parts of buildings with a total useful floor area less than 50 m²
- f) Those which are purchased for major renovation or demolition.
- g) Buildings for existing homes (or portions thereof), with lower use of four months a year, or whose expected energy consumption is less than 25% of the annual average, according responsible for their own statement.

➤ Who is responsible to instruct and keep the Energy Certificate?

- The **promoter** of the new building **or** the **owner**, if the building or part of it does already exist.

- **In buildings with owner community**, certification may be at least one entire for the whole building or alternatively for one or more dwellings or premises of the same building, with the same energy characteristics.

- **The premises for separate use** and not defined in the project of the building are required to be used, proper certification before the opening of the premises, unless it is of industrial use.

- The certification of **one-family-houses** may be based on the assessment of another representative building design, size and actual energy performance similar to technical judgment.

➤ Which is the content of the Energy Performance Certificate?

The certificate must include:

- The energetic building rating will vary from class A, for more energy efficient, to class G for the least efficient.

- Objective information on their energy characteristics.

- Recommendations for improving energy efficiency levels of the building or part (if available).

➤ Who are the competent technicians to issue the energy performance certificate?

Architects, technical architects, engineers and technical engineers Or those which have accredited professional qualification required to enter into energy performance certificates, although it looks like it could be extended to other professional qualifications.

➤ **Must the energy certificate be registered?**

Yes. On the Balearic Islands, certificates are registered in the Directorate General of Industry and Energy.

➤ **What validity has the Energy Performance Certificate?**

10 years. The owner of the building is responsible for its renewal and updating.

➤ **Does the label has to be included in the offers, as well as promotions and advertisements meant for the sale or lease of the building or part of it?**

Yes, it must be accompanied **in any commercial activity undertaken to sell or rent the property**, whether housing, commercial premises or office, regardless of the means used, whether portals or internet web pages in which the property is advertised , tabs windows of estate agents, property sale signs, etc.

➤ **In which buildings is it mandatory to show the label of energetic efficiency?**

- In buildings or units of private buildings frequented by the public, with more than 500 m2 floor space.

- In public buildings or parts of it frequented by the public with more than 250 m2 useable floor area.

For all other cases, the public display of energy performance label is voluntary.

➤ **What is to be done when buying or renting a building or part of it ?**

The following is to be distinguished:

- If the building is sold or rent before its construction: The vendor or landlord hands over its energetic qualification of the project providing the certificate of the building once the construction has been concluded.

- If the existing building is subject to a purchase contract of the entire building or part of it, as appropriate, the Energy Performance Certificate will be handed over to the purchaser. If the subject of the contract is the rental of the entire building or part of it, as appropriate, the simple exhibition and provision of a copy of the certificate to the tenant is sufficient.

➤ **Are there infringements and penalties?**

The non-compliance of the precept contents in the basic procedure for certification of energy efficiency is considered an infringement on certification of energy efficiency of buildings and pursuant to the rules of legal rank that may apply.