



Key dates to remember

From 6 April 2008, EPCs are required following construction of all new dwellings, and the construction, sale or letting of non-dwellings (ie commercial premises) with a floor area of over 10,000 sq metres. However, as a result of pressure from the property industry, the government agreed to grant a grace period of 6 months to landlords, whose properties were on the market before 6 April 2008, to obtain the EPC.

From 1 July 2008, EPCs will be required for the construction, sale or letting of non-dwellings with a floor area of over 2,500 sq metres.

From 1 October 2008, EPCs will be required for the construction, sale or letting of buildings that were not previously affected.

“An EPC will be valid for 10 years unless significant changes are made to the building or a new EPC is issued in which case the older EPC would be revoked.”

The Energy Performance of Buildings Directive was introduced with the aim of improving the energy performance of buildings in the EU. Not only does it set minimum energy performance requirements for buildings, but it also provides that an Energy Performance Certificate (“EPC”) must be available to a prospective buyer or tenant whenever a building is constructed, sold or let.

What is an EPC?

An EPC assesses the energy performance of a building.

It must be produced by an accredited energy assessor and the energy performance of the building is determined using a sliding scale from A to G, with A being the most energy efficient building and G being the least. The EPC must also have a reference value, a benchmark against which the asset rating for a building can be judged.

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How many EPCs will be required for multi-let commercial buildings?

The commercial areas of a mixed-use building with a common heating system can be assessed on a common EPC. However, if there is no common heating system, an EPC will be required for each part of the building that is being sold or let.

When is an EPC required?

The EPC must be provided to the prospective buyer or tenant at the earliest available opportunity, i.e. when the property is first marketed or when a potential buyer or tenant comes to view the property. An EPC will not be required for a lease renewal or extension, a compulsory purchase order or lease surrender. Furthermore, an EPC will not be required if a property is vacant and it can be shown that it is going to be demolished or redeveloped.

Whether landlords can recover the costs of obtaining an EPC from their tenants through the service charge will depend on the provisions in a lease.

It is likely that landlords will be putting the cost through the service charge.