



Builders Association of Minnesota

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Via Email: lyndy.logan@state.mn.us

Minnesota Construction Codes Advisory Council

C/O Lyndy Logan Department of Labor and Industry (DLI)

Subject: Comments on the 2024 IECC Residential Energy Code TAG Report and Protecting Housing Affordability

Dear Members of the Construction Codes Advisory Council (CCAC),

Builder Association of Minnesota is submitting these comments to express significant concerns regarding the impact of the Residential Energy Code TAG Report recommendations on **housing affordability** in Minnesota. As an organization who represents residential home building industry, I urge you to prioritize common-sense, cost-effective building standards that do not exacerbate our state's current housing crisis.

The Imperative to Protect Affordability

The TAG Report, while well-intentioned, proposes amendments that would lead to a **significant and unwarranted increase in construction costs**. Minnesota is currently grappling with a severe housing shortage, and adding substantial regulatory costs to new construction directly counteracts efforts to make homes attainable for more families.

There is simply no rational basis to increase costs by this magnitude through regulation, especially when those costs often outweigh the marginal energy savings.

We strongly advocate that the Department of Labor and Industry (DLI) **uphold its long-held belief that the Legislature should not intervene in the Building Codes.**

Minnesota Already Leads in Energy Efficiency

It is crucial to recognize that **Minnesota is already the most energy-efficient new home construction state in the nation**, boasting a median HERS score of 47. This leadership was achieved not through aggressive mandates and punitive regulation, but through **effective incentives and voluntary compliance**. We can maintain our status as a clean energy leader without creating insurmountable cost barriers for residents.

Recognizing Progress, Addressing Remaining Concerns

We wish to **thank the Department of Labor and Industry for dismissing the four most problematic IECC Amendments** which would have significantly impacted housing costs. This action represents a clear win for affordability. However, Minnesotans need to know that **more significant cost increases will inevitably come without the repeal of the Mitchell Provision.**

While we appreciate the Department's willingness to dismiss the most cost-prohibitive items, **several proposed amendments remain problematic**. We urge the CCAC to discard the following specific amendments, as they impose excessive cost burdens relative to their benefit:

- RE-39
- RE-40
- R-41.1
- R-43.3
- RE-45
- RE-50
- RE-52

Additionally, we must reiterate a point wisely dismissed by the IRC TAG: the **mandate for EV-Capable infrastructure is unnecessary**. This is a **luxury upgrade** that should be driven by consumer choice, not regulatory fiat. Mandating this feature adds costs without providing universal benefit to all homebuyers.

We ask the CCAC to reject amendments that needlessly increase the cost of housing. We must prioritize affordability while continuing to foster the energy efficiency leadership for which Minnesota is already recognized.

In conclusion, **CCAC must champion immediate action to strengthen statewide code compliance and enforcement.** Minnesota families are entitled to live in safe, secure homes that meet every standard and have been properly inspected. Allowing non-enforcement to persist is creating a perilous 'building code desert' that compromises structural integrity and safety. We urge CCAC to act now, as continued inconsistency effectively nullifies the code and puts our communities at risk.

Thank you for your time and thoughtful consideration of these critical issues.

Sincerely,

Grace Keliher

Executive Vice President Builders Association of Minnesota

CC:

- Commissioner Nicole Blissenbach (dli.communications@state.mn.us)
- Sen. Jen McEwen, Chair, Senate Labor Committee
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- Sen. Gene Dornick, Ranking Member, Senate Labor Committee
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- Rep. Dave Baker, Co-Chair, House Workforce, Labor, and Economic Development
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