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January 2024

Energy audit: a new obligation when selling an energy-intensive home from April 1, 2023 – Update from December 29, 2023

The energy audit was instituted as part of the Climate and Resilience Act of August 24, 2021. Since April 1, 2023, the most energy-intensive homes (classified F and G) must undergo an energy audit when sold. This document provides the future buyer with suggestions for energy renovation work. E-rated homes will be affected from January 1, 2025, and D-rated homes from January 1, 2034. The aim of the scheme is to gradually bring all homes down to at least class C. In the light of initial feedback from professionals, this decree has been amended to apply the adjustments to audits carried out from April 1, 2024.

Reminder

The Energy Performance Diagnosis (DPE)

The EPD for a property must consist of 4 parts:

- Annual energy consumption expressed in kWh and euros,
- Positioning in terms of primary energy consumption / m² / year and greenhouse gas (GHG) emissions / m² / year,
- Room description: the building (vertical walls, windows, doors, ceiling, and floor), and systems (heating, domestic hot water, ventilation and cooling),
- Recommendations for energy improvements.

DPE scale for energy consumption in kW/m²/year of a dwelling



Concerning sales

Since 2006, any homeowner wishing to sell must, among other things, have an energy performance diagnosis (DPE) carried out by a certified professional.

Concerning rentals

Landlords are required to provide their tenants with "decent" accommodation.

Since January 1, 2023, a dwelling is considered energy decent when its final energy consumption, as estimated by the DPE, is less than 450 kWh/m².

Since 2022, rents have been frozen for F and G-rated properties, both for existing tenants and for re-renters, and advertisements for the sale or rental of such properties must bear the words "excessively energy-intensive".

Homes whose energy consumption exceeds this value can no longer be offered for rent.

This measure applies to new rental contracts and contracts renewed or tacitly renewed from January 1, 2023 in mainland France. It applies to private and social housing and does not apply to seasonal rentals.

Who is concerned by the energy audit ?

The energy audit applies to owners of single-family homes and multi-unit buildings owned by a single owner and offered for sale in mainland France.

It's up to the owner to initiate the process even before selling his or her property, to provide the potential buyer with the energy audit on the first visit and, at the latest, on the day the promise to sell is signed.

What's the timetable for the audit?

Properties that meet the following conditions are eligible for an energy audit:

- For homes classified F or G for which the promise of sale or, failing that, the deed of sale is signed on or after April 1, 2023.

In French overseas departments and regions, an energy audit will be required for homes rated F or G from July 1, 2024.

- For E-classified homes for which the promise of sale or, failing that, the deed of sale is signed on or after January 1, 2025,
- For D-classified homes for which the promise of sale or, failing that, the deed of sale is signed on or after January 1, 2034.

What is an energy audit?

An energy audit is a detailed assessment of a home's energy and environmental performance.

The main aim of this document is to make future buyers aware of the issues involved in the ecological and energy transition, and to guide them by proposing scenarios for improving the performance of the home in Question.

What does an energy audit include?

The energy audit complements the DPE, but does not replace it. The energy audit is valid for 5 years, compared with 10 years for the DPE.

It is based on a more comprehensive analysis, which is defined in Article 2 of the Order of May 4, 2022, defining for mainland France the content of the regulatory energy audit provided for in Article L. 126-28-1 of the French Construction and Housing Code, and contains in particular:

- A general inventory of the property (thermal and geometric characteristics, details of heating, ventilation and lighting equipment, etc.),
- An estimate of the building's performance,
- At least 2 renovation proposals to improve energy performance: - a phased course of work, - a one-stop shop.
- Estimated energy savings,
- Orders of magnitude for the cost of the proposed work,
- Mention of the main public grants available

Rates are not regulated and may therefore vary from one professional to another. Depending on the owner's resources, he or she may qualify for assistance from Maprimerénov to have the audit carried out;

What does the decree of December 29, 2023 change?

As a reminder, the initial plan included a first phase aimed at gaining one class to achieve at least class E, a final stage aimed at, at least, class B and an intermediate stage to achieve at least class C.

- Article 2 of the Order of May 4, 2022, in the version applicable from April 1, 2024, stipulates that:
- Each work proposal must achieve a satisfactory level of hygro-thermal comfort (summer comfort),
- The two mandatory work proposals can be supplemented by additional scenarios,

- The first stage of the work will result in an improvement of at least two DPE classes (as opposed to the initial one),
- The final level to be achieved is that of high performance renovation (class C for F and G homes, compared with B initially),
- The requirement for an intermediate class C stage for "passive heat homes" (F and G dwellings) has been withdrawn.

Who can carry out an energy audit?

The energy audit must be carried out by a qualified professional, with insurance to cover the consequences of any liability.

For single-family homes, qualified professionals are :

- Certified real estate diagnosticians,
- Qualified engineering and design firms "Energy audit for single-family homes (OPQIBI 1911 qualification),
- Companies with the "Reconnu garant de l'environnement" (RGE) label.

For apartment buildings with several dwellings, the qualified professionals are :

- Building energy auditors (tertiary and/or collective housing) (OPQIBI qualification 1905),
- Architectural firms and architects registered with the association and who have undergone training.

Where can I find a listener?

On the [France Rénov'](https://france-renov.gouv.fr) website: france-renov.gouv.fr Or in the directory of certified diagnostician-auditors:

diagnosticiurs.din.developpementdurable.gouv.fr

Further information

Regulatory texts

Act no. 2021-1114 of August 22, 2021 to combat climate change and strengthen resilience to its effects.

Article L. 126-26 of the French Construction and Housing Code.

Article L. 126-28-1 of the French Construction and Housing Code.

Article L. 173-1-1 of the French Construction and Housing Code. Order of May 4, 2022 (modified by the order of December 29, 2023) defining for mainland France the content of the regulatory energy audit provided for in article L. 126-28-1 of the Code de la construction et de l'habitation.



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