

## FOCUS ON ...

ACCOUNTING



April 2023

## Energy audit : a new obligation in case of sale of an energy- intensive dwelling from April 1, 2023

The energy audit was instituted as part of the law to fight climate change and strengthen resilience of August 24, 2021. Since April 1, 2023, the most energy-intensive housing (classified F and G) must be subject to an energy audit in case of sale. This document gives, to the future buyer, tracks of energy renovation work. Homes classified E will be concerned from January 1, 2025 and those classified D from January 1, 2034. The objective of this system is to gradually bring all housing to at least class C.

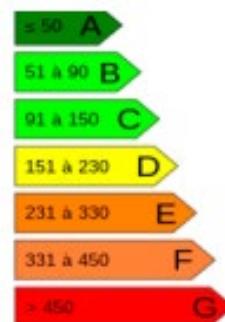
### Reminders

#### *The DPE (Energy Performance Diagnosis)*

The DPE, for a property, must include 4 parts:

- **Annual energy consumption expressed in kWh and in euros,**
- **Positioning in primary energy consumption / m<sup>2</sup> / year and in greenhouse gas (GHG) emissions / m<sup>2</sup> / year**
- **Description of the room:** the building (vertical walls, windows, doors, ceiling and floor), and systems (heating, hot water, ventilation and cooling),
- **Recommendations for energy improvements.**

#### *Scale of a DPE for energy consumption in kW/m<sup>2</sup>/year of a house*



#### *Concerning sales*

Since 2006, any owner who wishes to sell must, among other things, entrust the realization of an energy performance diagnosis (DPE) to a certified professional.

#### *Concerning rentals*

The landlord is required to provide "decent" housing to the tenant.

Since January 1, 2023, a dwelling is qualified as energy decent when its final energy consumption estimated by the **DPE is less than 450 kWh/m<sup>2</sup>**.

Since 2022, **housing classified as F and G has been subject to a rent freeze for tenants already holding a lease as well as for re-rentals** and advertisements for the sale or rental of these properties **must include the words "excessively energy-intensive"**.

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

This measure applies to new rental contracts concluded and to contracts renewed or tacitly renewed as of January 1, 2023 in metropolitan France. It concerns private and social housing and does not apply to seasonal rentals.

#### **Who is concerned by the audit ?**

The energy audit concerns owners of individual houses and buildings composed of several dwellings belonging to a single owner offered for sale in France.

**It is the owner's responsibility to initiate the process** even before the sale of his property in order to provide the potential buyer with the energy audit as soon as the first visit is made and, **at the latest, on the day the promise to sell is signed..**

#### **What is the timetable for carrying out this audit?**

Are concerned by the realization of the energy audit the properties which answer the following conditions :

- **For dwellings classified as F or G** for which the promise to sell or, the deed of sale, is signed on **or after April 1, 2023**.

In the overseas departments and regions, an energy audit for dwellings classified as F or G will apply as of July 1, 2024.

- **For dwellings classified as E** whose promise to sell or, whose deed of sale is signed on **or after January 1, 2025**,
- **For dwellings classified as D** whose promise of sale or, deed of sale, is signed on **or after January 1, 2034**.

#### **What is an energy audit ?**

The energy audit is a detailed assessment of the energy and environmental performance of a dwelling.

**The main purpose of this document** is to make the future buyer aware of ecological and energy transition issues and to guide him or her by **proposing scenarios for improving the performance of the dwelling concerned**.

#### **What does the energy audit contain ?**

**The energy audit complements the DPE but does not replace it. The energy audit is valid for 5 years, as opposed to 10 years for the DPE.**

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

- A general inventory of the property (thermal and geometric characteristics, indications on the heating, ventilation and lighting equipment),

- An estimate of the building's performance,
- **At least 2 proposals for renovation work** to improve the level of energy performance:
  - a step-by-step course of work,
  - a one-step course of work.

Unless there is a particular constraint, the first stage must gain at least one class and reach at least class E.

- **Estimated energy savings,**
- **Orders of magnitude of the costs of the proposed work,**
- **The mention of the main public aids that can be mobilized.**

Depending on the owner's resources, he or she can benefit from aid from [Maprimerénov](#) to carry out this audit.

### Who can perform an energy audit?

The energy audit must be carried out by a qualified professional, with insurance covering the consequences of a commitment of its responsibility.

**For individual houses**, the qualified professionals are :

- **Certified real estate diagnosticians,**
- **Design offices** and companies qualified for "energy audits in individual houses" (**OPQIBI 1911 qualification**),
- Companies with the "**Reconnu garant de l'environnement**" (**RGE**) label.

**For multi-dwelling buildings, the qualified professionals are :**

- **Design offices** for "energy audits of buildings (tertiary and/or collective housing)" (**OPQIBI 1905 qualification**)
- **Architectural firms and architects who are registered with the Order and who have undergone training.**

### *Where can I find an auditor?*

On the France Rénov' website : [france-renov.gouv.fr](http://france-renov.gouv.fr)

Or in the directory of certified diagnosticians : [diagnostiqueurs.din.developpement-durable.gouv.fr](http://diagnostiqueurs.din.developpement-durable.gouv.fr)

### To go further *Regulatory texts*

Law n° 2021-1114 of August 22, 2021 on combating climate change and strengthening resilience to its effects.

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

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

Article L. 173-1-1 of the Construction and Housing Code.

Order of May 4, 2022 defining for metropolitan France the content of the regulatory energy audit provided for in Article L. 126-28-1 of the Construction and Housing Code.



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