



EBEWE Benchmarking FAQs



EXISTING BUILDINGS ENERGY & WATER EFFICIENCY PROGRAM

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To ensure you are using the current version of this document, please check the “Benchmarking FAQs” tile at:
ladbs.org/ebewe/ebewe-benchmarking-process-and-information

Introduction

The Existing Buildings Energy and Water Efficiency (EBEWE) Program was established by Los Angeles Municipal Code (LAMC) Division 97, Article 1, Chapter IX, Ordinance No. 184674 (effective 11/22/2017). The Program is referred to in these FAQs as the EBEWE Ordinance and is under the purview of the Los Angeles Department of Building and Safety referred to as “LADBS”. The requirements of the EBEWE program are basically divided into two Phases: I. Benchmarking requirements and II. Audits and Retro-Commissioning requirements (A/RCx). These FAQs are related to Benchmarking (Phase I) while FAQs related to A/RCx (Phase II) are available at:

ladbs.org/ebewe/audits-retro-commissioning.

Los Angeles Building Code (LABC) vs LAMC American Legal Publishing-Online Library

The Los Angeles Municipal Code (LAMC) uses the format “91.97.XXX” and, for the EBEWE Program, the terminology “Chapter 91” and “Division 97” are used throughout the document. These references can be found using the American Legal Publishing-Online Library, but are not found in the Los Angeles Building Code (LABC). The word “Division” in the past was used both in the LAMC and LABC, but many years ago the LABC began using the word “Chapter” and instead of “Division.” So, the appropriate LABC reference is “Chapter 97 of the Los Angeles Building Code,” as the words “Los Angeles Building Code” imply “Chapter 91 of the Los Angeles Municipal code.”

Questions may be submitted to ladbs.EBEWE@lacity.org

Please begin your subject line with “EBEWE Benchmark Question”. You will receive a response and, if your question is considered to be commonly asked, it may be added to these FAQs.

1. How are the deadlines for Benchmark Year 2019 and beyond affected by the suspension of deadlines due to the COVID pandemic?

The tolling of deadlines due to the COVID pandemic was in effect from March 21, 2020 through February 28, 2023. While the deadlines for **Benchmark Program Years 2019, 2020, and 2021** were effectively suspended during this period, the LADBS Registration Website and Energy Star Portfolio Manager (ESPM) remained accessible for voluntary compliance.

Following the rescission of the tolling of deadlines, Notices to Comply were reissued to building owners who had not yet complied with the above Program Years. The Reissued Notices to Comply for Benchmarking indicated a Reissued Compliance Due Date of September 7, 2023, which is six months from the reissued date. See FAQ #1 under the A/RCx FAQs for more information regarding Reissued Notices to Comply for A/RCx.

The tolling of deadlines did not affect the reporting requirements of the above Benchmark Program Years and the next annual benchmark compliance due date is June 1, 2024 and the calendar year to be benchmarked is 2023.

2. *What is a benchmarking report?*

A report, generated by Energy Star® Portfolio Manager, summarizing the annual energy and water usage of a building.

3. *What software tool is used for benchmarking and reporting?*

The software required for benchmarking and reporting is Energy Star® Portfolio Manager (ESPM) which is a free, online tool created and maintained by the Environmental Protection Agency (EPA).

4. *What information will be publicly disclosed through the Ordinance?*

The EBEWE Ordinance requires that the following information be made available to the public on Internet:

- (a) Summary statistics on overall compliance
- (b) Summary statistics on overall energy and water consumption of buildings subject to the EBEWE Ordinance derived from aggregation of annual benchmarking reports; and
- (c) Building address and property use type;
- (d) The Energy Star® Portfolio Manager Energy Star score for the building, where available;
- (e) The weather-normalized site and source energy use intensity (EUI) per unit area per year (kBtu per square foot per year) for the building;
- (f) The site and source energy use intensity (EUI) per unit area per year (kBtu per square foot per year) for the building;
- (g) The annual carbon dioxide equivalent emissions due to energy use for the building as estimated by Energy Star® Portfolio Manager;
- (h) Indoor water use, indoor water intensity, outdoor water use (when available), and total water use; and
- (i) The status of compliance with the requirements of the EBEWE ordinance.

5. *I cannot log into Energy Star Portfolio Manager, and the “forgot password” link is not working. What should I do?*

Portfolio Manager is not an LADBS system. Make sure you are not using the password that you created for your LADBS account. Also make sure you are using the correct Forgot Password link for Portfolio Manager: portfoliomanager.energystar.gov/pm/account/help/password.

You will also be able to check if you have an account/retrieve your username by using this Retrieve Username link for Portfolio Manager: portfoliomanager.energystar.gov/pm/account/help/username.

6. *What is a Property ID?*

The Property ID assigned by Portfolio Manager is different from the Building ID assigned by LADBS. The Property ID can be found in your Energy Star Portfolio Manager account under your property's name and address in the top navigation bar. The Property ID is used to request data from SoCalGas.

7. *What is a Los Angeles Building ID and why is it important?*

LADBS assigns each building in Los Angeles a unique identifier called LA City Building ID. For the EBEWE Program, it is needed to register the building in LADBS' EBEWE system and to identify buildings in the Energy Star Portfolio Manager (ESPM) system.

Building IDs are provided to the owner of the buildings covered under the scope of the EBEWE Ordinance in Notices to Comply and Non-Compliance Invoices sent by LADBS.

Refer to the guide posted under the "Find your Building ID" tile at ladbs.org/ebewe/ebewe-benchmarking-process-and-information for further guidance.

8. *My building or building site has multiple Building IDs. Which one should I use in Energy Star Portfolio Manager?*

Please contact us at ladbs.ebewe@lacity.org (include the Building Address and the IDs).

9. *How often do I need to benchmark my building?*

Buildings that are subject to the EBEWE Ordinance must be benchmarked by June 1st every year for the preceding calendar year. For example, the benchmark report due by June 1, 2019 covers the energy and water usage for calendar year 2018 (January through December).

10. *Are there penalties for having high water or energy usage?*

There are no penalties in the EBEWE Ordinance for water and energy usage. However, building owners are strongly encouraged to maintain buildings that are water and energy efficient which will in turn lower operating costs and contribute to a more sustainable environment.

11. *What utilities do I need to report?*

The following utilities need to be reported, based on the total consumed by the whole building for the entire calendar year being reported:

- Indoor and outdoor water usage
- Electrical usage
- Natural gas usage (if you have a gas meter)
- Energy generated by solar panels (which is not part of an electrical bill) must also be reported

Note: Unless you already receive data automatically uploaded by the Los Angeles Department of Water and Power (LADWP), it is strongly suggested that you **request utility data by MARCH 1ST** following the year to be benchmarked (e.g., request LADWP data by 3/1/2023 to benchmark 2022 data).

12. *How do I obtain the whole-building usage data?*

LADWP and SCG can provide the building's aggregated usage data upon enrolling in each utility company's Web Services. Once enrollment process is completed, usage data will be automatically uploaded.

For more detailed instructions, please refer to Guide 6 (LADWP) and Guide 7 (SoCalGas) of LADBS' Benchmarking User Instruction Guide: ladbs.org/docs/default-source/forms/ebewe/benchmarking-user-instruction-guides-toc-final.pdf.

It is strongly suggested that you **request utility data by MARCH 1ST** following the year to be benchmarked.

13. *I need to benchmark 2018, does LADWP and SoCalGas (SCG) provide historical data?*

LADWP can provide **up to five years** of historical data. For example, if you complete the web service enrollment process on 2/16/2023, you will receive the building's aggregated electric and water usage data starting from 01/01/2018.

SCG can provide **up to two years** of historical data. For example, if you complete the web service enrollment process on 2/16/2023, you will receive the building's aggregated gas usage data starting from 01/01/2022. To request for historical usage data beyond the two years initially provided, see **FAQ #41**.

14. *My building is "off the grid". Do I need to benchmark it?*

To be considered "off the grid", the building cannot be connected to any meters. You must request an exemption from the benchmark requirement and provide supporting documentation to LADBS at ladbs.ebewe@lacity.org.

15. *My tenants pay their own utilities. Do I still need to benchmark the building?*

Yes. If your tenants pay their own utilities, you can request the necessary information from your utility companies. See **FAQ #12** for more details.

16. *I have less than 5 tenants with individual meters. One tenant refuses to sign a consent form required by LADWP. LADWP will not release the water usage. How can I still comply?*

In lieu of the Tenant Consent form, the requestor may provide a copy of the building owner's lease with the tenant that includes a term granting the owner permission to access the tenant's utility usage information.

If the lease is also unavailable, then for this specific case, you may estimate the water and electrical usage by comparing the benchmarked building with other similar buildings to the best of your ability.

17. *The building is a condominium. Who is required to benchmark it?*

The condo homeowner's association can benchmark the building and submit the report to LADBS.

18. *I bought the building during the last two months of the last benchmark year. Do I still have to benchmark it for the full year? How do I get the utility data for the time that I didn't own the building?*

Yes, you must benchmark it for the full year. Request the full-year data from LADWP or SoCalGas (see **FAQ #12**) and they will supply the data as requested, including for the months prior to you taking ownership.

19. *An existing building was occupied for only a few months during the calendar year to be benchmarked. How do I benchmark it for 12 months?*

For this specific case, prorate the usage by taking a monthly average of the number of months for which you have data. Then use that data to estimate the remaining months for the year.

20. *Do I have to benchmark my new building?*

Yes, once LADBS assigns it a LA City Building ID and issues you a Notice to Comply. Refer to the guide posted under the "Find your Building ID" tile at ladbs.org/ebewe/ebewe-benchmarking-process-and-information for further guidance.

If your new building is **50,000 sq ft** and a Notice to Comply was not issued, see **FAQ #43**.

21. *The building was not occupied at all for the entire year to be benchmarked. What should I do?*

We do not grant benchmark exemption to buildings just for being vacant or unoccupied. One of the following conditions must apply:

1. The building **did not have a Certificate of Occupancy or Temporary Certificate of Occupancy** for the entire calendar year required to be benchmarked;
2. The entire building was not occupied, **due to renovation**, for the entire calendar year required to be benchmarked;
3. The **demolition permit for the entire building has been issued and demolition work has commenced** on or before the date the benchmarking report is due for that calendar year;
4. The building **did not receive energy or water services** for the entire calendar year required to be benchmarked

Submit your request for benchmark exemption together with your supporting documents (CofO, Building Permit, Demolition Permit, LADWP Bills, etc.) to ladbs.ebewe@lacity.org. Additionally, please see **FAQ #s 43 and 44**.

22. *Can I submit my report with less than 12 months of data and estimate the missing months so that I can comply early?*

No, your report must contain all 12 months of usage for the program year you are benchmarking. There are a couple of cases where it is necessary to estimate the usage such as “One tenant refuses to sign a consent form required by LADWP “ and “An existing building was occupied for only a few months during the calendar year to be benchmarked”. Those cases are covered elsewhere in these FAQs.

23. *Do I need an LADBS user account for each building?*

No. You can associate multiple buildings with one (1) LADBS user account.

24. *I have multiple buildings in one LADBS account. Do I need to pay a registration fee for each building?*

Yes, because registration fees are tied to each building, not to each LADBS user account. Additionally, registration is an annual requirement that ties the payment of the annual benchmark fee and report to a building for the specified calendar year.

25. *We do not own the building at the address on the EBEWE letter. What should I do?*

Send an email to ladbs.ebewe@lacity.org explaining the situation and include your contact information (phone and hours of availability) – we will contact you and update our records accordingly.

26. *My building is a parking garage. Do I still need to benchmark it?*

Yes, if it is a standalone structure with a gross floor area of 20,000 sq ft or more. Parking garages are not exempt from the EBEWE Ordinance and use energy for lighting and elevators, and water for bathrooms.

27. *My building and separate parking structure each have a different Building ID. Which ID do I use to register and file the benchmark report?*

Each building, that meets the square footage requirements in the EBEWE Ordinance, needs to be benchmarked separately, using its own Building ID (see instructions for obtaining the Building ID in **FAQ #7**).

28. How do I benchmark if I have multiple buildings sharing a meter?

The person responsible for benchmarking must take the following items into account when deliberating how to benchmark multiple buildings that share meters:

Campus vs Individual Property. When setting up an ESPM Property, the decision will be between "setting up a campus or individual properties". Setting up a campus can provide another way of analyzing the usage data. Additionally, If the property type is eligible, setting up a campus may open up an opportunity for an Energy Star Certification. **We cannot recommend one over the other as each property is different and depends on the end goal of the building owner.**

Prorating vs Sub-metering. When entering usage data, the decision will be between "prorating or sub-metering". **If sub-metering is not an option for the building owner then the only way to enter the data for each building is to prorate it.** Please note that prorating will always disqualify the property from Energy Star Certification.

Regardless of your Portfolio Manager Property setup (campus or individual property), follow the instructions provided in [Considerations for Benchmarking Buildings in the City of Los Angeles](#) to ensure you are meeting LADBS EBEWE’s benchmarking requirements. All submitted benchmark report must (1) have the **LADBS building ID and zip code combination**, as indicated in the Annual LADBS Notice to Comply, and (2) the corresponding usage data. Otherwise, LADBS cannot recognize and upload the data and the building will remain as “Not Complied”.

Additional resources to aid in your decision as to how to set up an ESPM Property:

Goal	Should I set up a Campus?	Should I set up Individual Properties?
I want to achieve an Energy Star Certification from the EPA. See “How do I apply for ENERGY STAR Certification?” .	Yes.* *Setting up a campus does not guarantee an Energy Star Certification. Property must meet the eligibility requirements See ESPM FAQ: How do I benchmark a campus? for more information regarding campuses and on how to set one up.	Yes.* *Setting up an individual property does not guarantee an Energy Star Certification. Property must meet the eligibility requirements (e.g. property type, occupancy, etc.)
I am not interested in or I am not eligible to receive an Energy Star Certification, but I need/want to keep track of campus wide metrics.	Yes.	No.
I am not interested in or I am not eligible to receive an Energy Star Certification and I do NOT want/need to track campus wide metrics.	No.	Yes
I want to meet LADBS EBEWE’s Benchmarking requirements for each of my buildings	Yes* *Each child property must meet the Considerations for Benchmarking Buildings in the City of Los Angeles	Yes* *Each property must meet the Considerations for Benchmarking Buildings in the City of Los Angeles

29. *The building is less than 20,000 square feet and I received a Notice to Comply with the EBEWE Ordinance. What should I do?*

Contact us at ladbs.ebewe@lacity.org, and we will look into why you received the notice. Please include documents that show the correct gross floor area (e.g. an LADBS-issued Certificate of Occupancy, County Tax Assessor record, Architect/Engineer appraisal).

30. *Does my building square footage include parking areas?*

The square footage (sf) of the parking area is included if it is physically part of the building. Standalone parking structures that meet the sf requirements of the EBEWE Ordinance must be benchmarked separately using a Building ID assigned by LADBS specifically to the parking structure. Open parking lots are not included in the sf of a building.

31. *How should I classify my property or building type?*

Choose from the Portfolio Manager list of property use types. Property use types have varying requirements (e.g., the use must be 50% or more of gross floor area). Refer to energystar.gov/buildings/benchmark/understand_metrics/property_types for further information. Buildings that contain a variety of commercial and/or residential uses where no individual use accounts for more than 50% of the property are considered “mixed-use properties.” Note that if more than 10% of a building’s gross floor area is vacant, the vacant square footage should be described as a distinct space type.

32. *How do I know if I have successfully submitted the report, and have complied with the Ordinance?*

Customers receive an email “receipt” from Energy Star once their report is submitted to LADBS. To confirm that LADBS has received your submission, sign into your LADBS account at ladbsservices2.lacity.org/ebewe, select “Register for Benchmarking” and look under the “Benchmarked” column, which should display a date. Please note that it takes 5-10 business days from the date of submission for the “Benchmarked” column to be updated. See **FAQ # 42** for other ways to check your benchmark compliance status

33. *What should I do -- I received an Energy Star Portfolio Manager (ESPM) Receipt after submitting my report, but my building still shows that it is not in compliance?*

An ESPM receipt does not confirm compliance with the City’s requirements. Make sure you have completed all of the steps required by the City:

- 1) The building was registered with LADBS;
- 2) The annual registration fees were paid for the correct benchmark year, and
- 3) A report has been submitted to LADBS using ESPM for the appropriate calendar year.

If you have confirmed that these 3 items have been done, check the Excel file attached to your ESPM Receipt for the following:

- “Postal Code” column must have a zip code that matches Box 1 of your official Notice to Comply (NTC);
- “Standard ID - City/Town Name” column must be “Los Angeles Building ID” and
- “Standard ID - City/Town ID column must have the Building ID in Box 2 of your official NTC.

If you have confirmed all these items are correct, please contact us at ladbs.ebewe@lacity.org and we will investigate further.

34. *How can I get help with benchmarking my building? Are there agencies or companies that help?*

You can check the EPA's website for a full list of ENERGY STAR Service and Product Providers (energystar.gov/buildings/save_energy_commercial_buildings/expert_help/find_spp/spp_partner_list). LADBS does not endorse any service providers.

35. *The building will be demolished or has already been demolished. Am I still required to comply? What do I need to submit?*

The building will not be required to comply if its demolition permit has been issued and the demolition work has started before the benchmark deadline. The building will be removed from the compliance list after the demolition permit has been signed off (finalized). If you want to proactively notify us that the building has been demolished, please email us at ladbs.ebewe@lacity.org and include a copy of the demolition permit.

36. *My building is leased to a company for Sound Stage/Production/Post-Production use. How can I apply for an exemption?*

Send us an email at ladbs.ebewe@lacity.org, include the lease agreement that shows the building is being used as a Sound Stage/Production/Post Production and we will review them for exemption. Please note that exemptions must be requested on a yearly basis prior to the compliance due date. Allow at least 30 days prior to the due date to request this type of exemption.

If your building is **50,000 sq ft or more**, please also see **FAQ #43**.

37. *Can I mail in a check for the Registration Payment? Where can I mail in a check?*

Generate the invoice from the registration website (by selecting the **Print and Pay in Person** option on the Shopping Cart screen), include a check made out to CITY OF LOS ANGELES and mail it to the following mailing address:

LA Dept of Building & Safety
Financial Services Div
201 N. Figueroa St, 7th Floor
Los Angeles, CA 90012

38. *I received a Notice to Comply but I am unable to send the benchmark report. The provided submission link does not work. How can I submit my Benchmark report?*

We send out the Notices to Comply every December 1st of the Program Year; however, the actual usage data for December may not be available from the utility companies until about the second or third week of February of the following year. To prevent submissions that contain incomplete and/or inaccurate benchmark data, the registration and benchmark report submission link will only be made available and accessible starting sometime between January 15 and February 15 of the following year.

39. **What are the reporting requirements for healthcare facilities registered/licensed by the Department of Health Care Access and Information (HCAI), formerly the Office of Statewide Health Planning and Development (OSHPD)?**

Review CAN 2-0 - OSHPD Jurisdiction posted at hcai.ca.gov/construction-finance/codes-and-regulations/#CANs and your facility's information at hcai.ca.gov/facility-finder/ to see if your building is under the jurisdiction of OSHPD/HCAI. Send an email to ladbs.ebewe@lacity.org to **request an exemption** and include the following information:

- a. **Subject Line:** HCAI Exemption Request - LADBS Building ID: XXXXXXXX
- b. **Body:**
 - 1) LADBS Building ID: (as listed on the compliance notice)
 - 2) LADBS Building Address: (as listed on the compliance notice)
 - 3) Request Type: HCAI Exemption Request
 - 4) OSHPD/HCAI ID: XXXXXXXX
 - 5) HCAI Facility Name and License Number: Example Medical Center_XXXXX
 - 6) HCAI Building Number: BLD-XXXXX
 - 7) Additional Information: Explain your reason for exemption, and provide supporting information for your claim.

If your building is **50,000 sq ft or more**, please also see **FAQ #43**.

40. **What are the penalties associated with failing to complete benchmarking?**

SEC. 91.9712 of the EBWE ordinance puts the non-compliance fee at \$202. This fee may be subject to Late fees, Collection fees and interest as defined in LAMC SEC. 98.0411.

“Pursuant to L.A.M.C. Section 98.0411 (c), if this invoice is NOT PAID within 30 days of the date of the invoice, an additional 250% late charge/collection fee will be imposed and assignment to a collection agency may be made. After 60 DAYS of NO PAYMENT, interest will accrue at the rate of 12% annually (compounded monthly or portion of a month) until this invoice and any additional charges that have accrued since this invoice was issued have been paid.”

Please note that payment of the non-compliance fee does not result in Compliance. The building will remain out of compliance with the City of Los Angeles and, as with any Los Angeles Municipal Code violation, will be subject to further legal action. Additionally, the status of each building (Complied or Not Complied) is posted publicly and, in the future, may be recorded on the property as an open violation.

41. **How do I obtain historical natural gas usage data (e.g., from 2016 to 2021) to complete Benchmarking requirements? I enrolled in SoCalGas' Web Service, but they only uploaded natural gas usage data from 2022 to 2023 in my ENERGY STAR Portfolio Manager (ESPM).**

According to SoCalGas:

- The oldest data they can provide through Web Service is from January of the year prior to the request date. Example, if you enrolled in SoCalGas' Web Service on 05/19/2023, the oldest data you can receive is from 01/01/2022.
- Customers can request for historical natural gas usage data (e.g., from 2016 to 2021 if requested in 2023) by completing the [Customer Information Standardized Request \(CISR form\)](#). Customers must complete all required fields and check boxes 1 and 2 (see image below). The completed form must then be emailed to scgbenchmarking@socalgas.com.

I (Customer) authorize my Agent to act on my behalf to perform the following specific acts and functions (check all applicable boxes):

1. Request and receive billing records, billing history and all meter usage data used for bill calculation for all of my account(s), as specified herein, regarding utility services furnished by the Utility.¹
2. EPA Benchmarking (authorizes usage information to be uploaded to the EPA's ENERGY STAR Portfolio Manager®).

NOTES:

- Historical usage data requests are processed from July to February based on the order in which they are received.
- Once your request has been processed, SoCalGas will email you the historical data in an Excel spreadsheet.
- If you have issues completing the process and/or receiving the data, please contact SoCalGas at scgbenchmarking@socalgas.com. LADBS does not have jurisdiction or control over this process.

To Upload the Historical Usage Data to Portfolio Manager

See Option 2 (Entering Utility Data Manually) or Option 3 (Using Spreadsheet Uploads) from the EPA's instructions posted at: energystar.gov/buildings/tools-and-resources/how-get-data-portfolio-manager.

For further assistance: energystar.my.site.com/PortfolioManager/s/contactsupport.

42. Where can I check a building's Benchmark compliance status?

You can confirm a building's Benchmark compliance status using the following websites:

- You can view the overall benchmark compliance status of a building ID at ladbsservices2.lacity.org/EBEWCompliance/.
- You can view the detailed benchmark compliance status of a building ID by logging into the account used to register the building ID at ladbsservices2.lacity.org/ebewe, selecting "Register for Benchmarking" and using your browser's find function to find the specific building ID from the list. Please note that it takes 5-10 business days from the date of submission for the "Benchmarked" column to be updated.
- You can view the publicly disclosed information for a building ID at data.lacity.org/ (search Data Catalog by "EBEWE").

43. I am exempted from EBEWE Benchmarking but I still need to Benchmark?

EBEWE Benchmark exemptions do **NOT** exclude buildings from California State Benchmarking Compliance Requirements. If the building is 50,000 sq ft or more, it may be required to comply (submit a benchmark report) under AB802 (Session Year 2015-2016). Please contact the California Energy Commission (CEC) directly through benchmarking@energy.ca.gov or 855-279-6460 or visit their website at energy.ca.gov/programs-and-topics/programs/building-energy-benchmarking-program for more information.

To check on the compliance status of your building for buildings that are 50,000 sq ft or more, search for your address using at benchmarkingca.com. Also, you may direct other inquiries regarding the State's Benchmarking Program to their benchmarking hotline email, at benchmarking@energy.ca.gov.

44. Why am I exempted from EBEWE Benchmarking, but not A/RCx?

Receiving an exemption for Benchmarking does not mean you will also receive an exemption for A/RCx or for the reverse. Please also note that not Benchmarking the building's utility usage data in the Environmental Protection Agency's (EPA) ENERGY STAR Portfolio Manager (ESPM) system may hinder its eligibility for some of the available exemptions from performing an Energy and/or Water A/RCx. For example, the EPA, relies, in part on ESPM data to issue ENERGY STAR Certifications, so if there isn't any data in ESPM, the EPA cannot issue the Certification and the building cannot use the Certification to be exempt from performing an Energy A/RCx