



How To Complete The Seller's Energy Consumption Evaluation Form

This form was revised on January 11, 2011 and is required to be completed or waived for all conveyances of residential property that occur after January 1, 2011. (NRS 113.115). PLEASE USE THE REVISED FORM.

REVISIONS

Revisions to the original form were published on January 18, 2011. This form is dated January 11, 2011. This is the form that must be used after January 18, 2011. The revised version has only minor changes. Most importantly, the Waiver provision previously found on page four, is now an independent one page form. Initial blanks were placed on each page, and large black boxes were replaced with cross-out lines to save ink.

WAIVER

THIS FORM MAY BE WAIVED BY THE SELLER AND BUYER.

The Seller and Buyer must agree to waive the form, and if they agree, they must sign and date the Waiver Form.

Explanations (Page 1 of Form)

- This form is required to be completed or waived for all conveyances of residential property that occur after January 1, 2011. This means that if you have a close of escrow on or after January 1, 2011, this form must be completed or waived.
- There are five (5) exemptions:
 - Foreclosure pursuant to Chapter 107
 - Conveyance between co-owners, spouses or relations within the third degree of consanguinity
 - Temporary possession by a relocation company
 - WAIVER by the seller and buyer (See Waiver Instructions below)
 - If an evaluation was completed within the last 5 years.
- REO sellers are NOT exempt.
- “Reasonably available” means ascertainable to a reasonable person, or, visual labeling on a mechanical device. Good faith efforts must be made to obtain “reasonably available” information.

Energy Consumption (Page 2 of Form)

If “reasonably available” the seller must provide the monthly and yearly consumption of energy and cost of energy,
for the most recent 12 month period that the property was occupied.

12 month period- For this section, the seller must use a period of time where the home was occupied for 12 months. For example, if the home has been vacant for three months, the seller must go back to the 12 months prior to that to get the information required. If the home has been



vacant for 12 months, the seller must go back to the 12 months before the home was vacant to get the information required.

Consumption- This term means the therms, Kilowatt hours, gallons, tanks, cords, or other unit measure of the amount of the energy used. The unit measured is also known as the “commodity”.

Cost- This term means the dollar amount that the seller was charged for the amount of consumption.

“Reasonably available” – The Public Utilities Commission (PUC) regulations prohibit utility companies from providing information on an individual’s household to anyone other than the person who has the utility bill in his or her name. No one other than the person whose name is on the utility bill has the authority to get this information. If the seller is NOT the account holder (for instance if the utility account is in a tenant’s name), and the seller cannot get that information from the account holder, then the information is NOT “reasonably available”. A seller must use good faith efforts to try to get that information from the account holder.

You can access two of the most widely used utility companies through the web addresses below. You may have to register or create a log-in to access the information you are looking for.

www.NVenergy.com

www.SWgas.com

Page 2 of the form has a table where the seller may record the monthly consumption and cost. If the seller **attaches** the 12 months of utility records, this table does not need to be filled in. However, even if the seller attaches the records, the YEARLY consumption and cost must be reported in the table at the top of page 2.

For utilities provided by other companies, such as oil, or where alternative energy methods are used, such as wood stoves, the seller must complete the monthly consumption table using the “commodity” (gallons or tanks of oil or propane, cords of wood), and also provide the yearly total. It may not be reasonably available to obtain the monthly consumption of heating oil if an oil tank is filled on an irregular basis, or consumption of firewood, if three cords are delivered every October. However a yearly consumption of these heating methods would be reasonably available.

This part of the form also asks the occupancy level, or number of people living in the home during this same 12 month period for which the seller is providing consumption and cost the information.

Dwelling Unit Information (Page 3 of Form)

The questions in this section also fall under the rule of “reasonably available”.

Question 1 asks if there have been improvements in the last 5 years that reduce energy consumption. If “yes” then the improvement must be described in the Comments box. If the seller is unsure, then he should check the “unavailable” box.



Question 2 asks if the home contains a “net metering system” (which is defined on the first page of the form.). Most people whose homes have a net metering system know that it does. This type of system includes, for instance, solar panels or a geothermal system. Net metering systems must use renewable energy as its primary source of energy, generate not more than 1 megawatt, is located on the residential property, operates in parallel with the utility’s transmission and distribution facilities, and is intended to offset the home’s requirements for electricity. If a seller has one, the system and generational attributes must be described in the Comments box.

Question 3 asks if the home has design attributes or features that improve energy efficiency. This could include such things as large trees shading the home, passive solar areas. If the seller is unsure, then he should check the “unavailable” box.

Question 4 asks if the home has received an Energy Star Label or if it was constructed in accordance with a model energy code. If the seller knows this he may mark “yes” and provide the answer in the Comments Box. If the seller is unsure, then he should check the “unavailable” box.

Question 5 asks what type of insulation the home has and what areas of the home are insulated. The type of insulation may not be reasonably known to the seller, however, where insulation is located is often visually evident or known. The seller should list in the Comments box whether the walls, ceiling or crawlspace is insulated. If the seller is unsure, then he should check the “unavailable” box.

Question 6 asks what type of foundation the dwelling unit has. This would include, for instance, concrete slab, concrete, wood, stone...) If the seller is unsure, then he should check the “unavailable” box.

Age and Energy Star Rating of Systems (bottom of Page 3 of Form)

The bottom half of page 3 requires information regarding various systems in the home. This information is only necessary for the systems and appliances that will be sold with the property. For instance, if the washer and dryer are not staying with the home, then the seller does not have to provide this information.

For this section “unavailable” is a choice and is abbreviated as “U/A”. The seller must act in good faith and visually inspect the appliances and systems to determine whether an Energy Star label is affixed.

For heating and cooling systems, the form asks for the Efficiency Rating if available, and whether there is a programmable thermostat. For windows, doors, skylights and roofs, the form asks for the type. The seller should make a good faith effort to describe these elements. The type and variety of these elements are widely varied and product specific. The seller should provide at least basic information about these elements, for instance, single pane windows, double pane windows, wood core doors, glass doors, tile roof, wood shingle roof, composite roof, etc.

The shaded areas do not need to be filled in.



Lighting (Page 4 of Form)

This last section asks the seller to provide the type of lighting used in the home. The Energy Commissioner has indicated that only fixed lighting sources need to be listed. Do not include any type of lighting that plugs into a wall.

Incandescent lighting is regular old fashioned light bulbs.

Fluorescent lighting means the standard bar type fluorescent lights, which range in length.

Compact fluorescent lighting means the curly bulbs (which may or may not be enclosed in a bulb shaped outer shell).

LED means light emitting diode. LEDs are a solid state device and do not require heating of a filament to create light. Rather, electricity is passed through a chemical compound that is excited and that generates light. They may be organized into bars, clusters or arrays.

Other types of lighting may include for instance Halogen lights or lighting that is an unknown type.

Signatures (Page 4 of Form)

If the form is completed by the seller, then the seller or sellers sign page 4. This form may also be completed by a certified inspector, with an IOS license number indicating that he is certified by the Real Estate Division. If an inspector fills out this form at the seller's direction, then the inspector must sign the form on page 4.

When the copy of the form is provided to the buyer, the buyer or buyers must sign the acknowledgement of receipt of the copy, which is on page 4 of the form.

The Agent should keep a copy of this form or waiver form signed by the sellers and buyers in the transaction file.

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