

Brussels, - 9. 10. 2014
DK/mp Ares(2014)s- 2258792

Ms Pia Viitanen
Minister of Culture and Housing
PO Box 31,
FI-00023 Government, Finland

Dear Ms. Viitanen, *veelne fraa kollegi!*

Thank you for your letter of 27 May 2014 and for the explanations of the experience with the implementation of the Energy Performance of Buildings Directive¹ (EPBD) in Finland.

I agree that the EPBD Directive should give sufficient flexibility for Member States implementation to take into account the national context and local conditions. The question is: what is the right balance to strike?

In this regard, it is important to note that Article 11(7) of the EPBD refers specifically to single-family houses and provides scope for Member States in their national transposition measures to simplify the related certification requirements. The use of this flexibility provided already by the Directive seems to be the most immediate way to address the concerns of the Finnish citizens.

You suggest that energy performance certificates should be voluntary for all one-family houses built before the entry into force of the EPBD, which represent around half of the residential building stock in Finland. In this regard, it is relevant to note that the purpose of the certificates is to provide future owners or tenants with sufficient information on the energy consumption of the house or flat they intend to buy or rent. This is of particular relevance for old houses, where the energy consumption varies significantly according to renovations and replacements undertaken over time. Excluding old houses from compulsory energy performance certification would be a step back, not only with regard to Directive 2010/31/EU, but also with regard to Directive 2002/91/EC², which have already established a certification requirement for all buildings sold or rented out.

Furthermore, the EPBD Directive facilitates the provision of information to owners or tenants on methods and practices to enhance the energy efficiency of their buildings. Energy efficient buildings save money for citizens and ensure better living conditions. The resulting modernisation of national building energy codes boosts sustainable investment and job

¹ Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18/06/2010, p. 13–35)

² Directive 2002/91/EC of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings (OJ L 1, 04/01/2003, p. 65–71)

creation, often in SMEs working on building renovation and energy services, and contributes to energy security.

Let me underline that buildings are the largest contributor to EU energy use, accounting for 40% of EU final energy demand, and 36% of CO₂ emissions and it is essential that Member States take ambitious measures in this area. The EPBD is the main EU legal instrument promoting energy efficiency improvements in the EU building stock. The energy performance certificate provisions are critical to ensure that citizens can make informed decisions, thereby rewarding those who contribute to ensuring more efficient houses.

The Commission welcomes observations of Member States on the implementation of EU legislation. Within its Regulatory Fitness and Performance Programme, the Commission identifies performance difficulties of EU legislation with a view to take corrective action wherever this is warranted.

The Commission has just completed a process of legislative screening under REFIT publishing the results on 18 June.³ As the REFIT agenda is renewed annually, your observations can be taken into account when preparing the next REFIT exercise planned for 2015. In the meantime, the Commission may publish your observations on its REFIT website unless you inform us of any objections you may have.

I also note that, in any case, the Directive itself provides for the Commission, assisted by the Committee established by Article 26, to evaluate the Directive in the light of the experience gained and progress made during its application by 1 January 2017.

Yours sincerely,

³ COM(2014)368final and SWD(2014)192 final