

Santa Fe County – Sustainable Land Development Code  
Residential Energy Efficiency Requirements (Section 7.14.2)  
Compliance Affidavit



I/WE \_\_\_\_\_, being the owner(s) of tract/lot located in Section \_\_\_\_\_, Township \_\_\_\_\_ North, Range \_\_\_\_\_ East, N.M.P.M., and more commonly listed as having County Rural Address \_\_\_\_\_, Santa Fe County, New Mexico, being first duly sworn and under oath, do hereby swear or affirm the following:

1. The undersigned are owners of the above referenced lot; and
2. The Warranty Deed submitted with Development Permit Application No. \_\_\_\_\_, is a true and accurate description of above referenced lot; and
3. As the owner(s), agent(s), or assign(s), agree that the development listed in item No.2 above shall be constructed in accordance with Santa Fe County Sustainable Land Development Code, Ordinance No. 2015-11 which requires that the following energy efficiency requirements (Section 7.14.2) be satisfied and included in said development:
  - i. Each new residential structure, excluding mobile homes and manufactured homes shall achieve a Home Energy Rating Standards (HERS) rating of 70 or less, or have demonstrated that it achieves some equivalent energy performance. Structures required to achieve this rating shall be designed, constructed, tested and certified according to the HERS index. (Section 7.14.1)
  - ii. New residential structures shall also comply with the most recent version of the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 62.2, "Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings." (Section 7.14.2.4.1)
  - iii. The building owner or his or her agent shall also have the United States Environmental Protection Agency's "Thermal Bypass Inspection Checklist" or "Thermal Enclosure System Rater Checklist" completed for the residential structure during the building process. (Section 7.14.2.4.2)
4. Requirement to provide documentation confirming compliance with these requirements: A certificate of completion shall be required for each:
  - i. The final or confirmed HERS rating after completion of the structure, indicating that the HERS index is 70 or lower.
  - ii. If a renewable energy system (e.g. solar photovoltaic, solar thermal, small wind turbine) is used to achieve the HERS 70 rating, in whole or in part, documentation that the system has been installed at the residence, including information indicating the size of the system.
  - iii. Documentation that the ASHRAE 62.2 standard has been met.
  - iv. Provision of the completed USEPA "Thermal Bypass Inspection Checklist" or "Thermal Enclosure System Rater Checklist."

Failure to obtain a certificate of completion prior to using or occupying property that is subject of a development permit shall be a violation of the SLDC and the County may commence an action against you for failure to be in compliance with this requirement. (Sections 14.2 and 14.3)

5. I/WE agree to ensure that the residential structure will comply with the requirements noted in item No. 3 above and that the required documentation noted in item No. 4 will be provided to the County prior to occupancy.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Owner's Signature

The foregoing instrument was acknowledged before me by the person(s) whose name(s) appear above, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires

2/3/16