



Ruling: Managing impacts of COVID-19 on NABERSNZ ratings v3.0

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1 Introduction

Following communication with Assessors and the latest guidance issued by NABERS Australia, NABERSNZ will take a 'business as usual' approach to the treatment of data collected during the COVID-19 affected period and will instead focus on providing additional clarification and guidance to help Assessors.

As a result of this approach, the moratorium on use of data impacted by the COVID-19 affected period has been lifted and previous rulings have been rescinded. Therefore, **rating periods for current and future rating applications are to follow the requirements set out in their respective Rules without any additional requirements.**

As this Ruling applies to all ratings, approval to use this Ruling is not required. If there are any issues created as a result of rescinding this Ruling, the Assessor should contact NABERSNZ at nabersnz@nzgbc.org.nz.

This document answers questions, provides clarifications and presents two Rulings regarding these impacts. The answers and Rulings have been put into the same document for ease of use by Assessors.

NABERSNZ will continue to monitor the changing circumstances brought on by the spread of COVID-19 and may extend these Rulings and/or provide further Rulings as the situation unfolds.

Assessors do not need to seek prior written approval if they are using the Clarifications and FAQs included in Section 2 of this document.

Assessors wishing to use certain methods within individual Rulings may need to seek prior written approval from NABERSNZ. Please refer to individual Rulings and methods for further details.

If Assessors have any feedback on this document or any further questions, please contact us at nabersnz@nzgbc.org.nz.

2 Clarifications and FAQs

This document was originally developed by NABERS Australia and adapted to New Zealand by NZGBC to provide clarifications and guidance to Assessors, and present Rulings regarding the potential impacts of COVID-19 on the NABERSNZ ratings.

2.1 The 'COVID-19 Affected Period' and Ruling Expiration

As of Version 3.0, NABERSNZ has removed the Ruling Expiry Date. This will be reviewed periodically.

Use of the Rulings within this document by Assessors is permissible, subject to the requirements of the individual Rulings, and until NABERSNZ announces a retirement date for the Rulings. NABERSNZ currently defines the 'COVID-19 Affected Period' as the following time period:

31st March 2020 to present

Assessors do not need to seek prior written approval if they are using the Clarifications and FAQs included in Section 2 of this document. Assessors wishing to use certain methods within individual Rulings may need to seek prior written approval from NABERSNZ. Please refer to individual Rulings and methods for further details.

In addition, Assessors must download a copy of this document and keep it with their rating documentation. All evidence used when implementing the Rulings should be kept for future audit. **The ruling utilised should be specified in the notes in the NABERSNZ rating interface.**

It is the Assessors' responsibility to ensure the latest version of Rulings are being used. If the Assessor is uncertain of the correct version of Rulings to use, please contact NABERSNZ in advance.

2.2 Does NABERSNZ require the same evidence if the building is impacted by COVID-19?

Aside from the exceptions listed in the following Rulings, the same evidence requirements as per the respective Rules remain in place for NABERSNZ ratings.

The Assessor remains responsible for the accuracy of their rating. They must collect and retain the required documentation as per the Rules and provide this documentation for a Level 2 audit if required.

2.3 What if an Assessor cannot conduct a site visit due to travel restrictions, illness or quarantine?

Generally, the Rules for NABERSNZ ratings allow for another Assessor accredited in the same rating type to conduct a site visit or spot measurement.

This option should be used where possible. Documentation surrounding this option must be kept and provided for audits where required. The Assessor who registered the rating application will take the responsibility of the accuracy of data collected

2.4 What if a site visit cannot be conducted due to the impacts of COVID-19?

Assessors must refer to Section 3.1: Site visits for NABERSNZ Energy ratings.

NABERSNZ may extend the validity of the Rulings referred to below, as well as the inclusion of additional provisions as the situation progresses. In addition, NABERSNZ will likely consider a transition period for these Rulings in preparation for the post-COVID-19 period.

2.5 How should Computer Counts and Tenancy Occupancy Surveys be conducted if the tenancies have very low occupancy due to COVID-19?

In this situation, Assessors must refer to Section 3.2: Managing the impacts of COVID-19 on Tenant Occupancy Surveys and Computer Count for NABERSNZ Energy ratings.

Assessors should note that these provisions also apply to Whole Building and Tenancy ratings in co-assess applications.

2.6 How will NABERSNZ treat a period of building shutdown for office ratings?

NABERSNZ is still able to provide Energy ratings for office buildings during shutdown periods. Assessors should now refer to the updated Section 3.2.3 of this document.

NABERSNZ welcomes any questions or concerns raised by its stakeholders during this rapidly evolving situation.

NABERSNZ will review the impact of the low occupancy and building shutdown on rating results as the situation progresses.

2.7 What if an Assessor has a situation that is not covered by a Ruling in this document?

This document deals with situations where existing requirements have become issues due to COVID-19.

If you are experiencing any difficulty in conducting a rating due to COVID-19 for any building type, please contact the NABERSNZ team at nabersnz@nzgbc.org.nz.

3 Rulings – Managing impacts of COVID-19 for NABERSNZ ratings v3.0

3.1 Site visits for NABERSNZ Energy ratings

3.1.1 Use of this Ruling

NABERSNZ ratings require site visits to be conducted for NABERSNZ Energy ratings. NABERSNZ strongly encourage Assessors to conduct site visits as normal in a COVID-19 safe manner or as stated in Section 2.3 of this document, outsourcing the site visit component of a NABERSNZ rating application to another accredited Assessor as an alternative.

The Rulings are intended to provide additional flexibility around the NABERSNZ Rules for Assessors where a site visit can't be conducted because:

- A site visit cannot be undertaken in a COVID-19 safe manner, as assessed by the Assessor, the Assessor's organisation or the outsourced Assessor; or
- Travel and access to the premises is limited or unavailable by government mandated lock-down or border restrictions

For further guidance on evidence and documentation requirements needed for NABERSNZ approval to use this method, see Section 3.1.6 of this Ruling.

3.1.2 Use of a prior site visit

For the period in which this Ruling is valid, NABERSNZ will allow ratings to be lodged using evidence from a prior site visit in the following circumstances:

- The Assessor undertook the prior site visit themselves or is able to obtain a detailed briefing with notes and photos from a previous Assessor; and
- The prior site visit relates to the most recent rating and was within the last three years; and
- The Assessor is able to source confirmation of building usage data (such as hours and computer count), as well as any other changes that have occurred from the previous site visit that might impact the rating; and
- The Assessor must have enough compliant information to conduct the rating in accordance with the Rules.

If all of the conditions above cannot be met, a prior site visit cannot be used.

3.1.3 Use of non-Assessor information from a site visit

Where the 'Use of a prior site visit' not applicable, for the period in which this Ruling is valid, NABERSNZ will allow ratings to be lodged using evidence from a non-Assessor site visit in the following circumstances:

- Evidence has been collected to demonstrate that the non-Assessor used for the site visit is familiar with the operation of the building (building or facility managers are preferred non-Assessors); and
- A proposed strategy to conduct the site visit and confirmation of the information gathered from the non-Assessor; and
- The Assessor has enough compliant information to conduct the rating in accordance with the Rules.

If all of the conditions above cannot be met, information from a non-Assessor cannot be used.

Note: *NABERSNZ strongly encourages the use of virtual technology to conduct a site visit through a non-Assessor (e.g. a video-call walk through with a facilities manager). The video can then be retained for Level 2 audits.*

3.1.4 Use of conservative inputs

If the above methods cannot be used, conservative inputs may be proposed.

Conservative inputs are taken to mean purposefully cautious interpretations or inputs where they cannot otherwise be confirmed due to the absence of a recent site visit. Conservative inputs rely

on additional supplementary written evidence or documentation where possible, or default values where such values are provided.

Assessors must demonstrate they meet the criteria of this Ruling, and provide the following:

- Evidence that information from a non-Assessor cannot be used or is not available; and
- Evidence that—
 - the building is in lock-down for access due to COVID-19; or
 - the site visit was to be conducted during a government-mandated shutdown of non-essential business; and
- Confirmation that they are able to make conservative allowances for the relevant rating inputs.

If all of the conditions above cannot be met, conservative inputs cannot be used and the rating cannot proceed.

Assessor should contact Administrator for assistance or further guidance on use of this method.

Example: Conservative allowances or inputs could include the following:

- Use of default computer counts if the requirements of Method 4 in this Ruling cannot be satisfied (Offices).
- Exclusion or omission of AHAC requests or unusual hours (Offices).
- Deeming all car parks to be naturally ventilated (Apartment Buildings, Shopping Centres).
- Signed confirmation from building management (using company letterhead) on the accuracy and currency of SLDs.
- Signed confirmation from building management (using company letterhead) on the accuracy and currency of floorplans and tenancy configurations.

3.1.5 Alternative method

Assessors can use a combination of the methods listed above to demonstrate they meet the criteria of this Ruling. Prior written approval from Administrator is required.

Assessors must provide the following:

- Evidence that information from a non-Assessor cannot be used or is not available; and
- Evidence that—
 - the building is in lock-down for access due to COVID-19; or
 - the site visit was to be conducted during a government-mandated shutdown of non-essential business; and
- Proposal of an alternative method that encompasses a combination Use of a prior site visit, Use of a non-Assessor and/or Use of conservative inputs.

Assessors must outline their proposed method as part of the approval process.

For further guidance on evidence and documentation requirements needed for NABERSNZ approval to use this method, see Section 3.1.6 of this Ruling.

3.1.6 Evidence and documentation requirements

Assessors must have the ability to demonstrate through evidence that they can meet the criteria of this Ruling. The evidence should look to eliminate any doubt in relation to the Assessor's eligibility to use the respective Ruling and may be demonstrated by a combination of evidence types.

All evidence provided is subject to NABERSNZ's approval and may include, but is not limited to, the following:

- Calendar invites (time-stamped), including their recipients.
- Site visit/travel itinerary for NABERSNZ ratings.
- Written correspondence between Assessors and client/site team/building owner, etc.
- Travel and accommodation bookings.
- Raised work order(s), invoice(s) or letters of engagement.
- Internal stakeholder communication advising of work-related travel restrictions.
- Previous site visit notes.

In principle, the evidence should demonstrate the following:

- The parties involved (i.e. the Assessor/Assessor organisation, the client, site management team, etc.).
- The communication that has been established between parties, concerning the draft rating.
- The key dates (scheduled site visits, rating periods, rating expiry dates, etc.).

In general, the NABERSNZ team will not accept the following:

- Absence of supporting evidence or attachments.
- Illegible screenshots or snapshots.
- Word documents or other editable documents.

Assessors remain responsible for the accuracy of their ratings and must collect and retain all documentation as per the Rules, including any information gathered as part of this Ruling. This must be provided for Level 2 auditing.

NABERSNZ reserves the right to refuse requests on the grounds of inadequate or insufficient evidence.

If an Assessor is uncertain of the evidence type, they should contact NABERSNZ in advance.

3.2 Managing the impacts of COVID-19 on Tenant Occupancy Surveys and Computer Count for NABERSNZ Energy ratings

3.2.1 Computer Counts where buildings have low occupancy due to COVID-19

3.2.1.1 Scope

Prior written approval from the Administrator is required to use this method.

For the period during which this Ruling is valid, NABERSNZ will allow Assessors to use an alternative methodology (Section 3.2.1.2) for counting computers in situations where the standard Computer Count method or use the default value is not appropriate. This applies to Whole Building and Tenancy ratings.

Prior to use of this method, the following evidence must be given:

- Evidence of very low occupancy in the building, and that this very low occupancy is directly related to COVID-19 and not due to any other reason.
- Evidence that the Computer Count has or would have occurred during the COVID-19 Affected Period (see Section 2.1).
- Evidence that this period of very low occupancy has impacted the ability of the Computer Counts to accurately represent the rating period.

Note: Evidence of very low occupancy can be confirmed by the tenant or building owner.

3.2.1.2 Method

Where it can be demonstrated that they have met the requirements of Section 3.2.1.1 of this Ruling, Assessors can propose an alternative methodology or evidence, in lieu of the normal Computer Count methodology, as per the Rules.

Assessors must provide the following when seeking approval to use this method:

- Evidence that the default value for the Computer Count is not appropriate for use; and
- Evidence as to why conducting a standard Computer Count in line with the NABERSNZ Rules is not appropriate; and
- An alternative methodology for counting computers or evidence of the number of computers.

The use of this Ruling is at the discretion of NABERSNZ and will depend on the robustness of the alternative method proposed by the Assessor. NABERSNZ will assess whether the alternative evidence for Computer Count provides a fair representation of the number of computers in the rated period.

If all of the conditions above cannot be met, this method for Computer Count cannot be used.

For further guidance on evidence and documentation requirements needed for NABERSNZ approval to use this method, see Section 3.2.4 of this Ruling.

Note 1: Evidence of why the default Computer Count is not appropriate could include evidence of an unreasonable impact on the star rating.

Note 2: Alternative evidence of the number of computers could include a combination of—

- computer Count from the previous rating;
- photos or video from a virtual site tour;
- confirmation from the tenant that the figures for this rated period are similar; and/or office floor plans or recent furniture audits.

3.2.2 Use of Tenant Occupancy Surveys where buildings have been heavily vacated due to COVID-19

3.2.2.1 Scope

For the period during which this Ruling is valid, NABERSNZ will allow Whole Building and Tenancy ratings to be lodged using the method prescribed in Section **Error! Reference source not found.**

Prior to use of this method, the following evidence must be given:

- Evidence of very low occupancy in the building, and that this very low occupancy is directly related to COVID-19 and not due to any other reason.
- Evidence that the Tenant Occupancy Survey has or would have occurred during the COVID-19 Affected Period (see Section 2.1).
- Evidence that this period of very low occupancy has impacted the ability of the Tenancy Occupancy Surveys to accurately represent the rating period.

Note: Evidence of very low occupancy can be confirmed by the tenant or building owner

3.2.2.2 OTA Hours Minus 5

Assessors must demonstrate that they have met the requirements of Section 3.2.2.1 of this Ruling, and provide the following:

- Evidence that a valid OTA is available.
- Evidence that shows—
 - current occupancy patterns are not representative of the rated hours; or
 - a valid TOS could not be sourced due to occupancy failing to meet the required minimum 20 % occupancy threshold.

If the conditions above are met, NABERSNZ will allow Energy for Whole Building and Tenancy ratings to be lodged using the following, in lieu of a Tenant Occupancy Survey:

- **OTA Hours minus 5** – see *NABERSNZ Rules – Energy and Water for Offices* (v1.2): Section 5.3.2.1, Step 4 “OTA Hours correction for Tenancy and Whole building ratings.”

If all of the conditions above cannot be met, this Ruling cannot be used.

For further guidance on evidence and documentation requirements needed for NABERSNZ approval to use this method, see Section 3.2.4 of this Ruling.

3.2.2.3 Use of Previous TOS

Assessors must demonstrate that they have met the requirements of Section 3.2.2.1 of this Ruling, and provide the following:

- Evidence that the previous TOS is available.
- Evidence that shows—
 - current occupancy patterns are not representative of the rated hours; or
 - a valid TOS could not be sourced due to occupancy failing to meet the required minimum 20 % occupancy threshold.

If the conditions above are met, NABERSNZ will allow Energy for Whole Building and Tenancy ratings to use a previous Tenant Occupancy Survey, provided that—

- the tenant occupancy survey relates to the most recent rating and was completed within the last 3 years; and
- the tenant occupancy survey corresponds to the same functional space as the previous rating; and
- there have been no significant changes to the nature or size of the functional space, the hours or level of occupancy beside the impacts observed due to COVID-19.

While use of a previous TOS is permitted (where eligible), insertion of unusual hours from a previous TOS is not permitted.

If all of the conditions above cannot be met, this Ruling cannot be used.

For further guidance on evidence and documentation requirements needed for NABERSNZ approval to use this method, see Section 3.2.4 of this Ruling.

3.2.3 Changes to a premises' levels of service for comfort conditions and Owner Tenant Agreements

3.2.3.1 General

NABERSNZ recognises that a space which is leased and has low or no occupancy due to COVID-19 is still considered occupied. This means that the definitions of 'occupied' and 'ready for occupation' may not be applied in the same way during the COVID-19 period.

It is also recognised that premises owners and managers will look to reduce energy and water consumption while occupancy is at lower than expected levels due to COVID-19. Such actions include adjusting BMS schedules, switching to 'on request' servicing and shutting down floors known to be unoccupied.

NABERSNZ is supportive of these actions, and as an overarching principle during these unusual times, NABERSNZ believes that buildings should be run in the most energy efficient way possible, as long as it is safe to do so.

3.2.3.2 Determining Core Hours during the COVID-19 period

For the period during which this Ruling is valid, Core Hours from prior to the COVID-19 Affected Period (see Section 2.1) should be applied to the whole rating period, regardless of the servicing arrangements during the COVID-19 Affected Period, if the following applies:

- A current lease is in place.
- It is expected that the tenant will return once the COVID-19 restrictions are relaxed.

Core Hours are those determined using the OTA method in accordance with the *NABERSNZ Rules – Energy and Water for Offices (v1.2)*.

During the COVID-19 Affected Period, AHAC hours should continue to be specific to those days that AHAC was requested by tenants (i.e. AHAC hours do not overlap with the Core Hours of the COVID-19 Affected Period). Evidence of these should be in compliance with the existing requirements as per Section 5.3.3 *AHAC: after-hours air conditioning requests* of the *NABERSNZ Rules – Energy and Water for Offices (v1.2)*.

Note: *If the Core Hours have changed, it is permitted to use Core Hours from prior to the COVID-19 Affected Period. AHAC from prior to the COVID-19 period should not be applied to the COVID-19 Affected Period.*

Assessors are still expected to retain documentary evidence of any agreement to change the level of service provided to tenants during the COVID-19 period to show that the space has been operated safely. This documentation may take the form of

- an addendum to an existing lease agreement, or
- formal written correspondence, or
- an email between parties with agreement.

If there is no agreement which covers this period and the level of Base Building services have changed due to low occupancy, see Section 3.2.3.3.

3.2.3.3 Situations where there is no agreement to alter service levels

To ensure the details within the signed statement are sufficient, written approval from the Administrator is required prior to use of Section 3.2.3.

If no agreement exists between the premises owner and the tenant to alter service levels, Assessors must provide a signed statement to show that the space was operated safely.

The signed statement must include the following:

- What the previous level of service for comfort conditions was.
- A general description of the current level of service for comfort conditions. This does not need to be a specific response for each location or point in time.
- Which spaces are affected by the altered level of service for comfort conditions. This may simply be the whole building, or may be designated to specific areas.

- Why an agreement could not be made to change the levels of service for comfort conditions.
- A general description of how the space was kept safe for occupants throughout the period.

The statement must be signed by a party both familiar with and responsible for the management of the building. This could be a premises owner, building manager, facilities manager or portfolio asset manager.

An example of this statement is given in [Appendix A](#).

Note: A single statement may be made to apply to a portfolio of properties, provided the statement can present the information outlined above. For further information, contact NABERS at nabersnz@nzgbc.org.nz.

3.2.4 Evidence and documentation requirements

Assessors must have the ability to demonstrate that they can meet the evidence requirements of Sections 3.2.1, 3.2.2 or 3.2.3 of this Ruling. The evidence should eliminate any doubt in relation to the Assessors' eligibility to use the respective Ruling. A combination of evidence types may be given.

All evidence provided is subject to NABERSNZ' approval and may include, but is not limited to the following:

- Written correspondence between Assessors and client/site team/building owner, etc.
- Photos and video recordings, including recordings from virtual site tours.
- Office floor plans.
- Reverse calculator data inputs and star rating results.
- Previous site visit notes.

In general, the NABERSNZ team will not accept the following:

- Absence of supporting evidence or attachments.
- Illegible screenshots or snapshots.
- Word documents or other editable documents.

Assessors remain responsible for the accuracy of their ratings and must collect and retain all documentation as per the Rules, including any information gathered as part of this Ruling. This must be provided for Level 2 auditing, if required.

NABERSNZ reserves the right to refuse requests on the grounds of inadequate or insufficient evidence.

If an Assessor is uncertain of the evidence type, they should contact NABERSNZ in advance.

4 Appendix A – Sample statement

Note: This letter should be in the Building Owner's or Building Management company's letterhead.

Building Owner
Example Pty Ltd
123 Example Street
Auckland, 2000

Date

To whom it may concern

Example Pty Ltd has altered the level of service provided to certain tenants due to low occupancy as a result of COVID-19.

Level of service hours in the current leases

As per the lease agreements, Example Pty Ltd provides Base Building HVAC services to tenants between the hours of 7 am and 6 pm Monday to Friday for most floors.

HVAC services supplied to tenants during COVID-19 periods

During the period of 23 March 2020 to (end of the rating period), the Base Building HVAC service were, in general terms, supplied as follows:

- The building has continued to operate as normal, except for the number of occupants present in the building. Most tenants have implemented work from home practices. Therefore, staffing levels have been approximately 15 % during this time.
- Only two tenancies (Levels 3 and 8) have completed vacated during this time. We have reduced HVAC to these floors as much as possible.

Expectation of Tenants Returning

We understand that all tenants intend to return to the building once the threat of COVID-19 is reduced. We are not aware of any tenant surrendering their lease(s) during this time.

How the space is kept safe

We are in active communication with the tenant regarding the movement of staff within the building. The tenant has agreed to provide 24-hours' notice if they wish to occupy a floor with no service or reduced service, and this is sufficient for us to ensure comfort conditions are met prior to occupancy.

Sincerely,

Building Owner
Facility Manager/Property Owner/Property Manager/Landlord