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**MINDSCAPE INNOVATIONS**

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June 17, 2008  
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Canadian Home Builders' Association (CHBA)  
150 Laurier Ave. W., Suite 500  
Ottawa, ON K1P 5J4

**Attention: Mr. John Hrynkow**

**Reference: CHBA's Position on Environmental or "Green" Labelling Initiatives**

Dear Mr. Hrynkow,

With reference to the attached position letter issued May 22, 2008 by the CHBA, I find this position letter strong on some points, and terribly weak on others. As a member of the CHBA, I am deeply disappointed in what seems to be the continual spreading of misinformation about the Canada Green Building Council (CaGBC)'s policies, and the ongoing mistreatment of the Leadership in Energy and Environmental Design (LEED) program. As a professional association, I expect the CHBA to have the courage and integrity to verify it's positions with the CaGBC directly prior to issuing position statements such as this - something that CHBA has clearly and repeatedly failed to do for this topic. I strongly support all the comments made in this position paper regarding the appropriate use of the EnerGuide Rating System and regarding the employment of green building programs as regulatory instruments, but the strength in this position paper is deeply undermined when it also includes such misinformed statements about LEED and the CaGBC.

I now cite several pointed fallacies included in the "Briefing Note on the CHBA's Position on Environmental or "Green" Labeling Initiatives" dated May 22, 2008:

**1. From page 2:**

*"While LEED™ is presented as a voluntary undertaking, the Canadian Green Building Council (CaGBC), which manages LEED™ in Canada, actively supports and encourages the adoption of LEED™ standards as regulatory requirements."*

I challenge CHBA to provide tangible evidence that this is true. The CaGBC has repeatedly expressed that LEED is to be a voluntary compliance standard, not a regulatory instrument.

**2. From page 2:**

*"LEED™ standards are not subject to the discipline, rigour or transparency that characterize Canada's system of Codes and Standards."*

The committee review process employed by the CaGBC is identically the same as the building code review process, up to and including a full public comment period that encourages participation by entities who are not members of the CaGBC. In fact, the USGBC is ANSI accredited as a standards developer, and the CaGBC uses the same identical process as the USGBC does when developing its standards. If the CHBA wishes to accuse the CaGBC of being inadequate in its development process, then CHBA should realize that it is accusing ANSI of being inadequate as well.

**3. From page 3:**

*"In addition, the CHBA continues to have concerns about any point-based, multi-level home labeling initiative which does not require increased minimum levels of energy performance at each higher level, as is the case with LEED™... the current LEED™ for Homes standard has a single minimum energy efficiency standard for all certification levels."*

The minimum entry level in the current LEED for Homes standard (ie: the pre-requisite level, which earns zero points) is ENERGY STAR®, which the CHBA supports. LEED awards points for exceeding this level of energy performance, and one cannot attain the highest levels of LEED certification without greatly exceeding this level of energy performance. To claim that LEED's energy performance requirements are inadequate and to yet support ENERGY STAR and other programs like it (eg: R-2000 or Built Green) is nothing better than pure hypocrisy, and the CHBA should be embarrassed to take such an erroneous position.

**4. From page 4:**

*"...the Canada Green Building Council (CaGBC), supports this type of "back door" regulation of the industry. CaGBC has published information laying out exactly how municipalities can enact LEED™ requirements so that these have the effect of regulation."*

This statement is clearly inconsistent with the recommendations made by the CaGBC, which encourage municipalities to enact LEED requirements on municipally owned buildings, thus demonstrating government leadership and encouraging (not regulating) the private sector to follow. It is simply false to suggest that the CaGBC is encouraging LEED's adoption as a regulatory instrument.

When I was young my mother taught me that if I am not prepared to contribute to the solution, then I have forfeited the right to criticize. I have watched the CaGBC invite the CHBA's participation in the development of LEED at multiple opportunities in the past, and the LEED for Homes Core Committee, charged with the development of LEED for Homes, now includes representation from one of the CHBA's member associations instead, because the CHBA has repeatedly declined the opportunity to participate directly in the formation of LEED for Homes. By demonstrating a lack of willingness to collaborate with the CaGBC, the CHBA has forfeited any right it may otherwise have had to criticize.

By choosing to make such bold statements against LEED and the CaGBC without having properly researched them, and that in the face of an open invitation for collaboration, the CHBA has shown tremendous ill will, and has deeply undermined its own credibility. As a member of the CHBA, I am ashamed.

Attn: Mr. John Hrynkow

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I call on the CHBA to behave professionally, to meet with the CaGBC, to become educated in these matters which have been so terribly misrepresented, and either to accept the CaGBC's invitation to participate, or to respectfully abstain from any further discussion of the CaGBC, it's policies, practices, programs, and membership.

Best regards,



Derek Satnik, P.Eng.

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Attachments:

- CHBA letter titled "CHBA's Position on Environmental or "Green" Labeling Initiatives", dated May 22, 2008