



CITY OF BERKELEY

CHANGES TO BESO PROGRAM

A change to the **Berkeley's Building Emissions Saving Ordinance (BESO)** has been made by the City of Berkeley and will go into effect beginning July 1st, 2021.

What you should know?

Starting September 1st, BESO Deferral Fee checks provided by Title Companies will increase from \$48 to \$195 (\$110 deferral fee plus an \$85 administrative late fee).

BESO requires buildings to complete comprehensive energy assessments when they are sold. **Realtors® and Sellers are instructed to include proof of BESO Compliance in the transfer documents at close of escrow and title companies help ensure that buildings are in compliance with BESO.** When the BESO Compliance documentation is not provided, title companies often submit BESO deferral applications and the associated deferral fee on behalf of buyers and sellers.

Starting July 1st:

- BESO assessments and BESO deferrals must be completed prior to listing a building for sale.
- The BESO Deferral to Buyer fee will increase from \$48 to \$110 for online applications.
- We are allowing title companies to continue to submit the \$48 deferral fees during a two-month transition.

Starting September 1st:

- An administrative late fee of \$85 will be applied to filing fees and deferral fees if not completed prior to listing.
- Title companies submitting BESO Deferral applications on the buyer/seller's behalf will need to include a \$195 check with the updated paper deferral application (\$110 deferral fee plus an \$85 administrative late fee). An updated deferral application will be sent to all title companies in August.

Deferral Applications submitted after September 1st with a \$48 deferral fee check will be rejected by the City of Berkeley and returned to the Title Company.

Additional Information:

Here's a link to an [overview document](#) of the changes to the program and the new time of listing process. Most process changes affect Realtors® and Sellers as the assessment is now required prior to listing a building for sale.

For more information, please visit the city of Berkeley's website at: <https://www.cityofberkeley.info/BESO/>