



Building Industry Association of Washington  
300 Deschutes Way SW, Ste. 300  
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September 11, 2023

Washington State Building Code Council  
Attention: Chairman Tony Doan  
1500 Jefferson St SE, Olympia, WA 98501  
Via email: [sbcc@des.wa.gov](mailto:sbcc@des.wa.gov) and [Stoyan.bumbalov@des.wa.gov](mailto:Stoyan.bumbalov@des.wa.gov)

RE: Deferment of the 2021 Building Codes

Dear State Building Code Councilors,

The Building Industry Association of Washington (BIAW) represents 8,000 members in the residential construction industry. We are writing today in support of multiple requests we understand the SBCC has received to defer the 2021 Building Codes to July 1, 2024.

While BIAW prefers this code cycle be skipped entirely – to allow the SBCC to get back on schedule for adopting and implementing the building codes – a deferment of all building codes to July 1, 2024, is crucial for the successful implementation of the codes for several reasons:

1. RCW 34.05.328 outlines the SBCC's obligation prior to adoption to "inform and educate affected persons about the rule." In the absence of SBCC-sanctioned training, the burden of training is solely on the industry. Because the energy code has yet to be formally amended and adopted, training materials rooted in fact rather than assumptions cannot be created in a timely manner. Further, the timeline established by the SBCC doesn't leave adequate time to schedule statewide courses to educate builders and inspectors on the new requirements.
2. RCW 19.27.074(5)(c) requires the amended energy code to go into effect following the 2024 Legislative Session.
3. Code users are accustomed to codes being implemented on July 1 of the year following completion of rulemaking activities.
4. Washington's complete codes have yet to be published through the International Code Council's website. The insert pages provided on the SBCC's website are inadequate in the absence of this resource.
5. Much confusion has arisen since the delay was passed by the SBCC on May 24, 2023. BIAW staff have received innumerable inquiries from industry participants regarding the status of code implementation, such as when new code courses will be announced and frustration with the lack of communication from the SBCC. Ultimately, code users are anxious they will not have time to understand how to comply with the new codes, and how to coordinate with their suppliers and subcontractors.



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6. The SBCC is unlikely to complete permanent rulemaking activities as described by the SBCC in the May 24 Special Meeting. There is simply not enough time to release new code language, allow stakeholders to review and substantively comment, or for industry to provide training on compliance measures.
7. Further, the passage of multiple energy code proposals by the TAG, MVE Standing Committee, and likely the SBCC this Friday, will result in more confusion for stakeholders seeking to provide technical comments to improve code usability and enforcement statewide.

For all these reasons, the only logical remedy remains a deferment of the codes to at least July 1, 2024.

Thank you for your consideration.

Sincerely,

Jan Himebaugh  
Managing Director of External Affairs