

NCTCOG SAMPLING PROTOCOL FOR GROUP R2, R3 AND R4 OCCUPANCIES

Sampling for Testing. For buildings having three or more dwelling units, a minimum of 15% of the dwelling units in each building must be tested as required by Sections R402.4.1.2 and R403.3.3 of the 2015 *International Energy Conservation Code* (Code). Prior to beginning sampling for testing, "Initial Testing" is required for each multifamily property. "Initial Testing" shall consist of the 3rd party testing contractor performing the required tests on at least three consecutive dwelling units. Test results from the "Initial Testing" must satisfy minimum code requirements before sampling is permitted. Dwelling units selected for the "Initial Testing" must be within the same building. Dwelling units selected for "Initial Testing" shall not be included in a "sample group" or counted toward the minimum 15% of dwelling units tested. The building official shall randomly select the three dwelling units for "Initial Testing." The building official may delegate the random selection to the designated 3rd party testing contractor.

Sample group Identification and Sampling

The builder shall identify a "sample group" which may be a building, floor, fire area or portion thereof. All of the dwelling units within the "sample group" must be at the same stage of construction and must be ready for testing. The building official shall randomly select at least 15% of dwelling units from each "sample group" for testing. The building official may delegate the random selection to the designated 3rd party testing contractor.

If each tested dwelling unit within a "sample group" meets the minimum code requirements, then all dwelling units in the "sample group" are considered to meet the minimum code requirements.

Before a building may be deemed compliant with the testing as required, each "sample group" must be deemed to be compliant with the minimum code requirements. The sum total of all of the tested dwelling units across all "sample groups" shall not be less than a minimum of 15% of the dwelling units in a building.

Failure to Meet Code Requirement(s)

- a. If any dwelling units within the identified "sample group" fail to meet a code requirement as determined by testing, the builder will be directed to fix the cause(s) of failure, and 30% of the remaining dwelling units in the "sample group" will be randomly selected for testing by the building official, or third-party testing contractor, regarding the specific cause(s) of failure.
- b. If any failures occur in the additional dwelling units, all remaining dwelling units in the sample group must be individually tested for code compliance.
- c. A multifamily property with 3 failures within a 90 day period is no longer eligible to use the sampling protocol in that community or project until successfully repeating "Initial Testing." Sampling can be reinstated after at least 3 consecutive dwelling units are individually verified to meet all code requirements.
- d. No building may be issued a Certificate of Occupancy until testing has been performed and deemed to satisfy the minimum code requirements on the dwelling unit(s) identified for testing.