

DIFFERENT BROKERAGE RELATIONSHIPS ARE AVAILABLE WHICH INCLUDE SELLER AGENCY, BUYER AGENCY OR TRANSACTION-BROKERAGE.

ENERGY BENCHMARKING DISCLOSURE

Owner: _____

Listing Contract Date: _____

Property: _____

Benchmarking refers to a building’s energy consumption. Colorado law (§25-7-142, C.R.S.) requires that an Owner provide specific “Benchmark” data via a designated benchmarking tool of the Property’s energy performance and greenhouse gas pollution for a “Covered Building” to: (1) prospective buyers or tenants, (2) real estate brokers who make inquiries about the Property, and (3) commercial real estate listing services on which the Property is submitted. The Owner must provide the required information for a "Covered Building" at the time of entering into a Listing Contract. Even if an Owner does not utilize a real estate broker or does not enter into a Listing Contract for a "Covered Building" when placing the property for lease or sale, the Owner must still provide the required information to prospective buyers or tenants in some other manner. Failure by the Owner to provide the required information could result in an imposed civil penalty of up to \$2,000.00 per violation, which may be increased by the State of Colorado.

“Covered Building” under the Colorado Statutes is a commercial or multi-family building with a gross floor area of fifty thousand (50,000) square feet or more. There are a few exclusions for a "Covered Building.” Local ordinances may have different disclosure requirements regarding building energy performance. Also, note that the "Benchmark" data must be reported to the Colorado Energy Office on an annual basis.

OWNER ACKNOWLEDGMENT:

Seller **Landlord** acknowledges receipt of this document on _____.

Signature Date

Signature Date

BROKER ACKNOWLEDGMENT:

On _____, Broker provided _____ (Owner)

with this document via _____ and retained a copy for Broker’s records.

Brokerage Firm’s Name: _____

Broker’s Signature Date