INDUSTRY PORTAL STEP-BY-STEP GUIDE

How to File a Pre-Determination Request

The following Step-by-Step Guide will outline the steps applicable to completing a Pre-Determination Request in DOB NOW: *Build.*

Contents

Overview

This step-by-step guide will provide applicants with a systematic understanding of how to complete a Pre-Determination Request in DOB NOW: *Build.*

The DOB NOW: *Build* system is an all-inclusive, integrated system for Job Filings, permits, and submitting requests. DOB NOW: *Build* is a one-stop-shop (System).

<u>Requirements</u>

- Pre-Determinations must be filed on a **specific property or BIN**.
- Pre-Determinations must apply to a **specific Code or Zoning Provision**.
- Pre-Determinations must be filed **before submitting a Job Filing** on a specific BIN. The related Job may be in Pre-Filing.
- Requests can be submitted by **any Licensee** or by **Attorneys**.
- External Agency Determinations apply to jobs filed with:
    - FDNY -- New York Fire Department
    - SCA – School Construction Authority
    - SBS– Small Business Services
- The initial fee for a Pre-Determination Request is **$1,000**. No fee is charged if the building is a 1, 2, or 3-Family house. Fees are also not applicable for HPD Affordabe Housing, Fee Exempt Owners, or Government Owners.
- The Appeal and Second Appeal of Pre-Determination each cost **$2,500**, with the same exemptions as above.
- There is **no fee** for a Board of Standards and Appeals review request.
- If the Pre-Determination request is **Denied** or **Approved with Conditions**, the Applicant may file an **Appeal**. The levels of review are:
    - Pre-Determination
    - Appeal of Pre-Determination
    - Second Appeal of Pre-Determination
    - BSA Review

SYSTEM GUIDELINES

1. Fields with a red asterisk (*) are required and must be completed.
2. Grayed-out fields are Read-Only or are auto-populated by the system.
3. Depending on the size of your screen or browser you may have to use the scroll bar to view more options or full fields.

ADDITIONAL HELP & INFORMATION

1. Video Tutorials: DOB NOW YouTube Channel: https://www.youtube.com/user/NYCBUILDINGS
2. Presentations & Sessions: https://www1.nyc.gov/site/buildings/industry/dob-now-training.page

Log into DOB NOW: Build

Follow the steps below to access DOB NOW: *Build* and initiate a Pre-Determination.
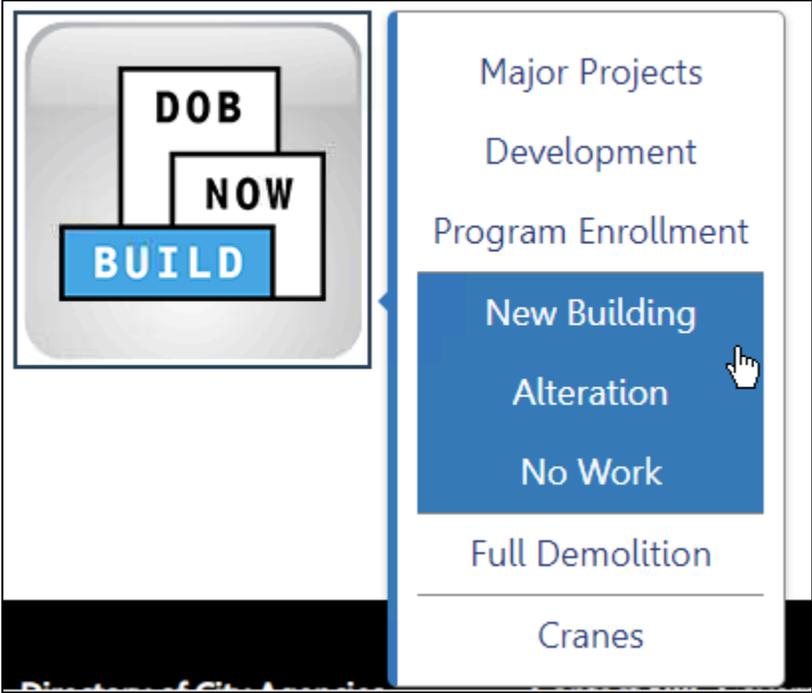
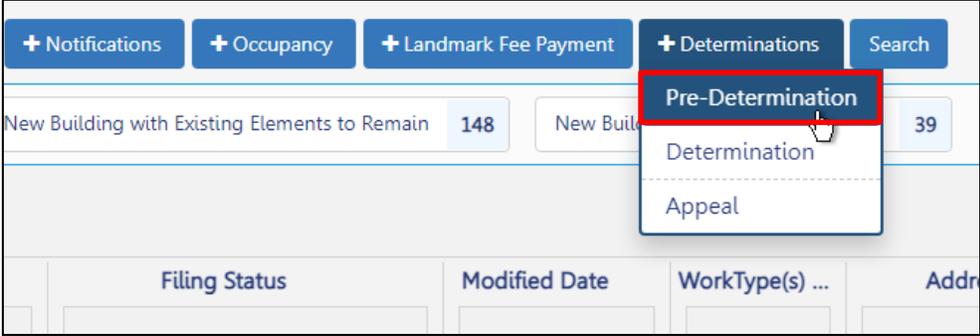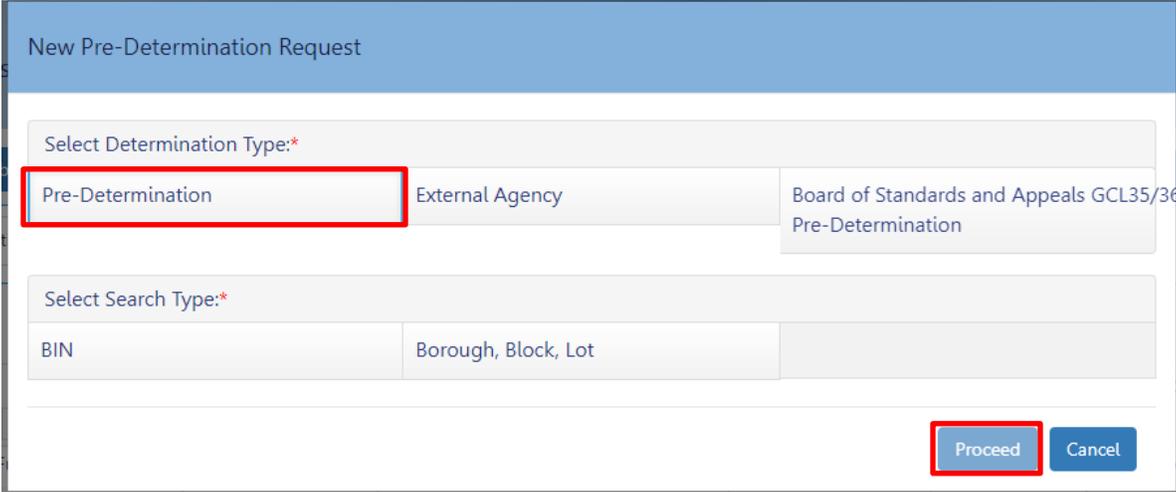| Step	Action
(i)	**Note** In order to log in to DOB NOW, you must be registered for eFiling. Additionally, DOB recommends that you turn off pop-up blockers to successfully navigate within DOB NOW. For Step-by-Step instructions, please submit a question to www.nyc.gov/dobnowhelp or refer to the following links: ■ How to Register for eFiling: https://www1.nyc.gov/assets/Buildings/pdf/registration_tip_owners.pdf ■ How to Turn Off Pop-up Blockers: https://www1.nyc.gov/assets/Buildings/pdf/allow_pop-up_blockers.pdf
1.	Access the Internet.
2.	Enter www.nyc.gov/dobnow in the URL field at the top of the browser window.
3.	Press **Enter** on your keyboard.

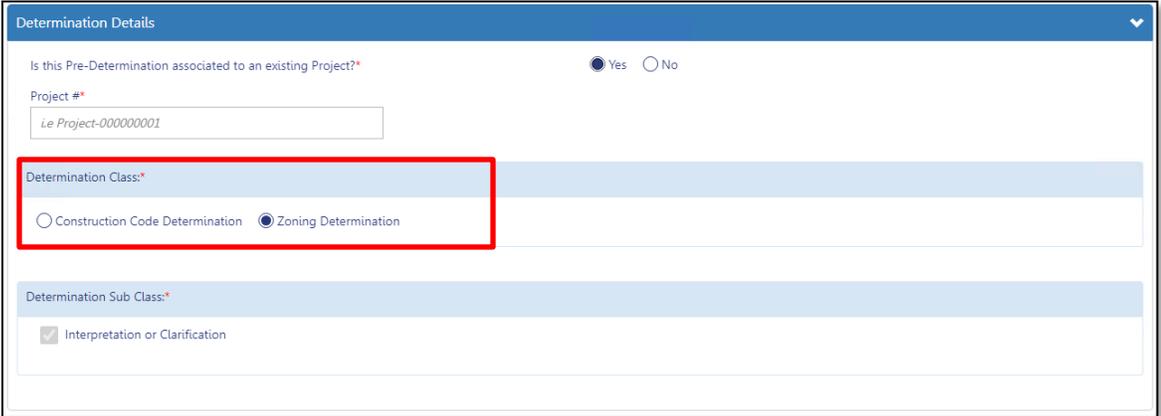| Step	Action
	The DOB Login page displays.
4.	Enter your **Email** and **Password**.

Step	Action
5.	Click **Login**.
	To use DOB NOW: Build or Safety, register for an eFiling account here. To reset your eFiling password, click here.
6.	The DOB NOW Welcome page displays.
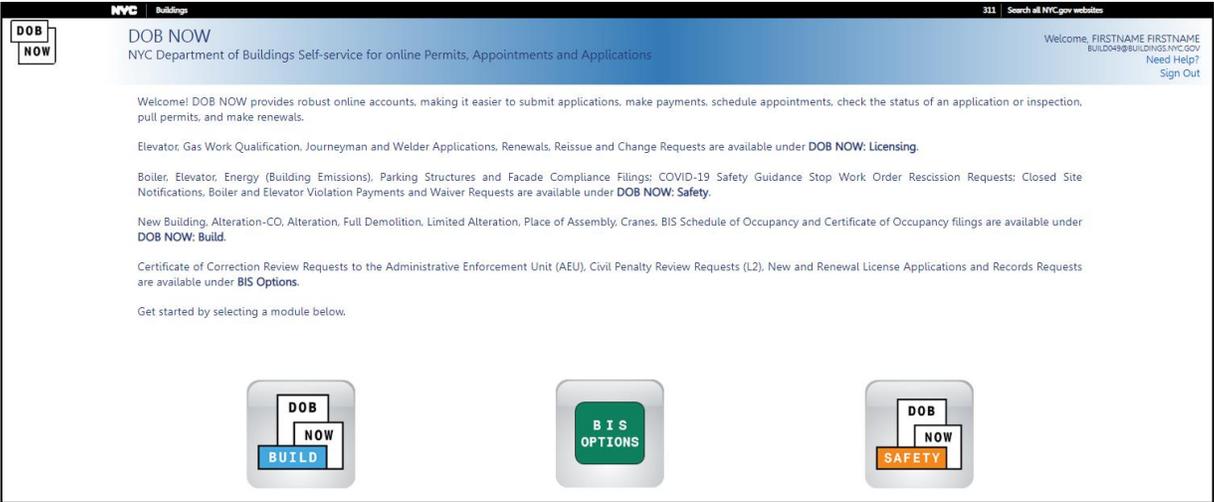
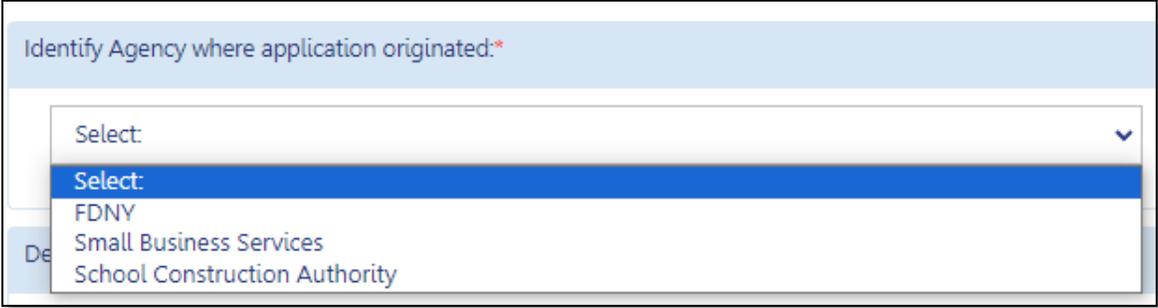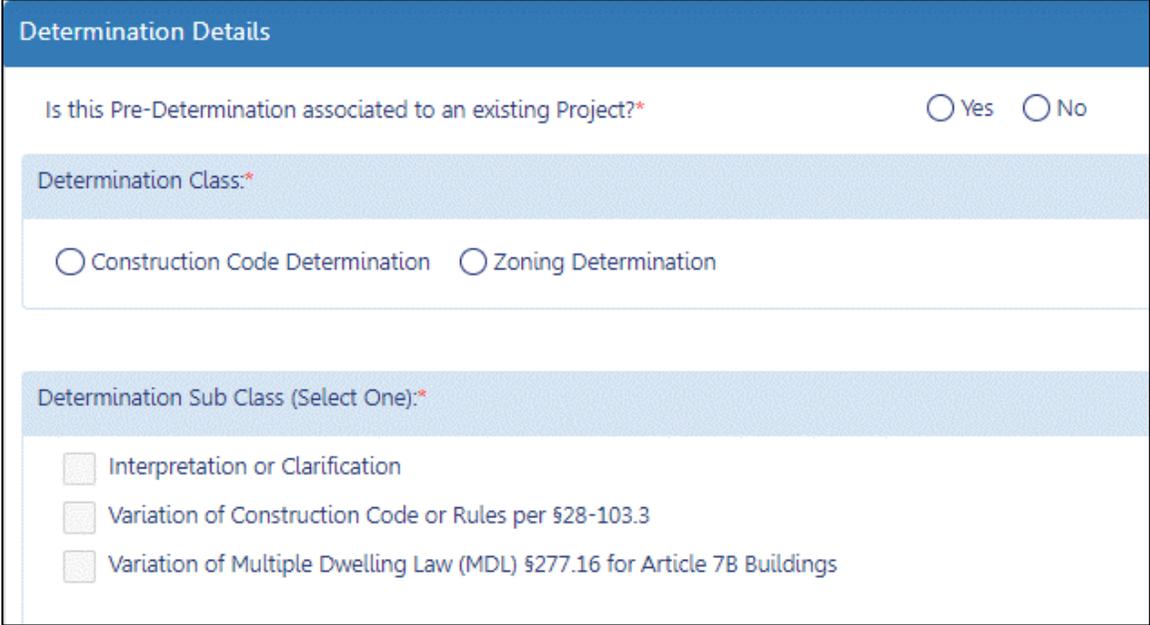You are now logged into DOB NOW. Continue to the **Requesting a Pre-Determination** step by step.
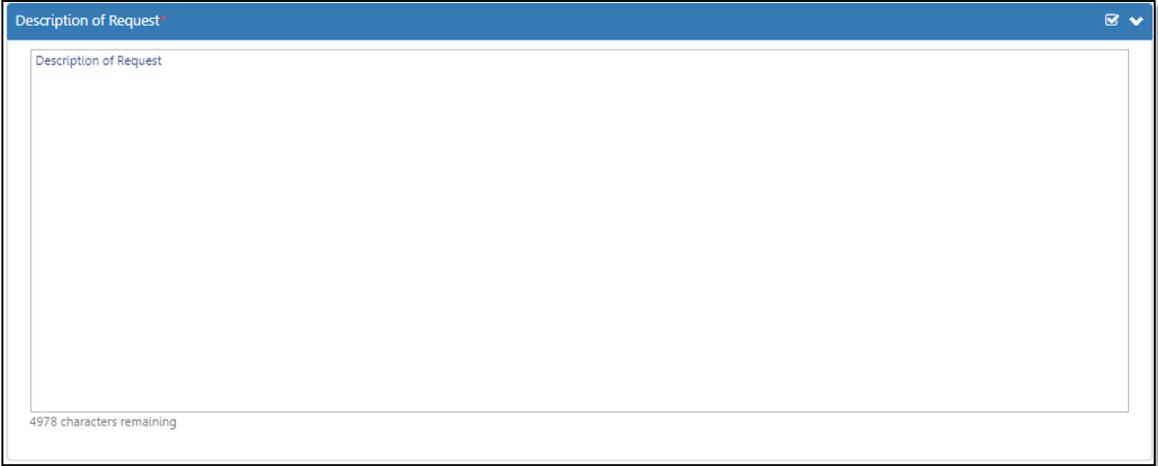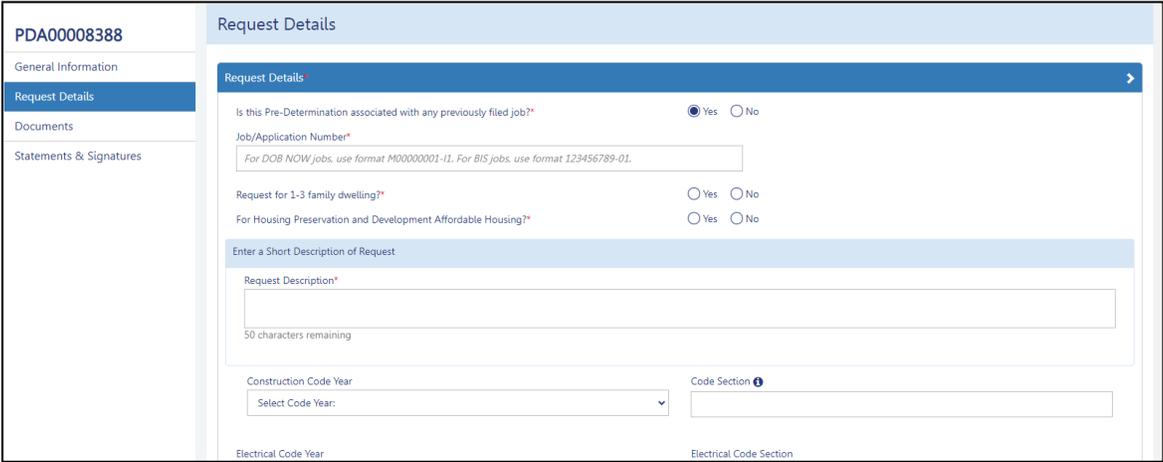
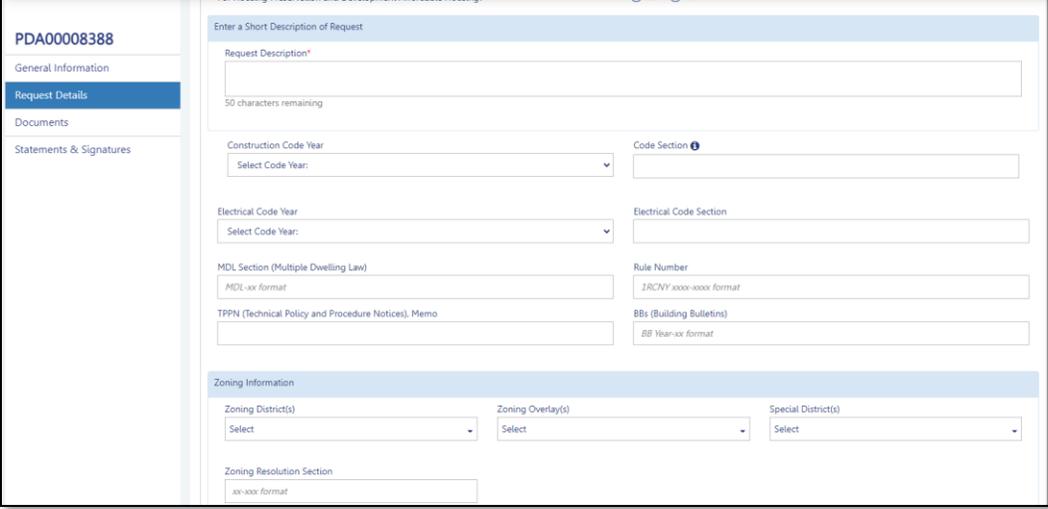## Requesting a Pre-Determination

To initiate a Pre-Determination:

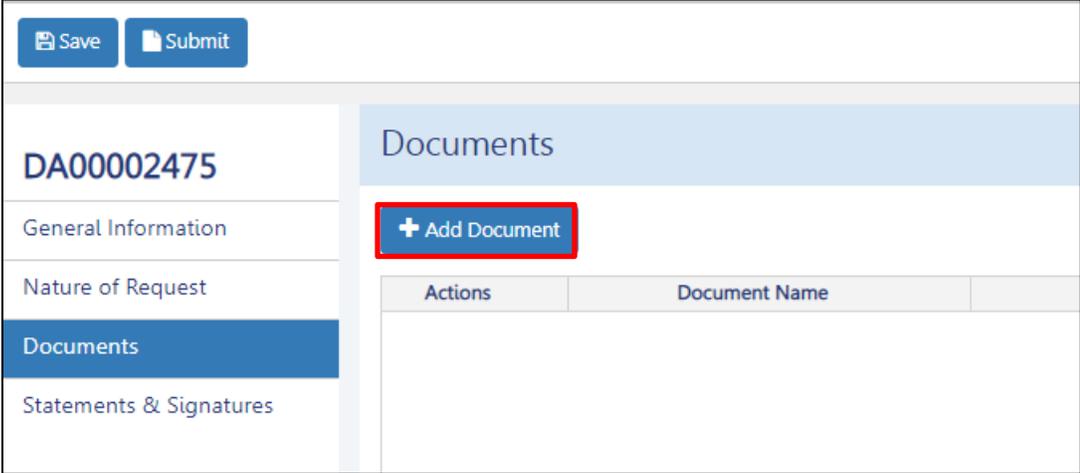| Step	Action
1.	From within the DOB NOW Public Portal main dashboard, click on **DOB NOW BUILD.**
2.	Then click on the **New Building / Alteration / No Work** option.

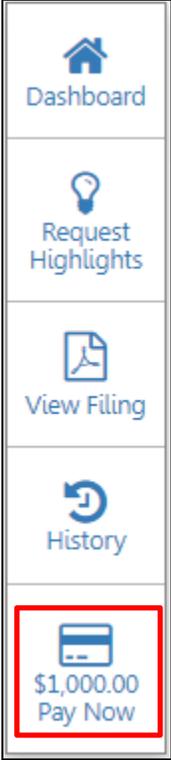| Step	Action
3.	Once the DOB NOW Build dashboard loads, you will then be presented with the main dashboard. From the toolbar located at the top of the dashboard, click on **+Determinations**. After clicking on **+Determinations**, a dropdown menu will appear with the following options: • Pre-Determination • Determination • Appeal Select **Pre-Determination**. After you have selected **Pre-Determination** from the **+Determination** dropdown menu, you will then be presented with the New Pre-Determination Request screen.
4.	Enter the **BIN** or **Borough, Block**, **Lot** information then click on **Proceed**. (If the Borough, Block and Lot information is added, Applicants will need to select the relevant BIN.) This screen will allow you to enter the search type of either by BIN or by Borough, Block, Lot. You may also request a Pre-Determination for an External Agency Job Filing or from the Board of Standards and Appeals.

Step	Action
5.	You will then be presented with the **General Information** section of the Pre-Determination request form. From here you will be able to view Request Information and Location information. You will also be able to complete the **Stakeholders** sections which will contain the Applicant Information and Alternate Contact Information.
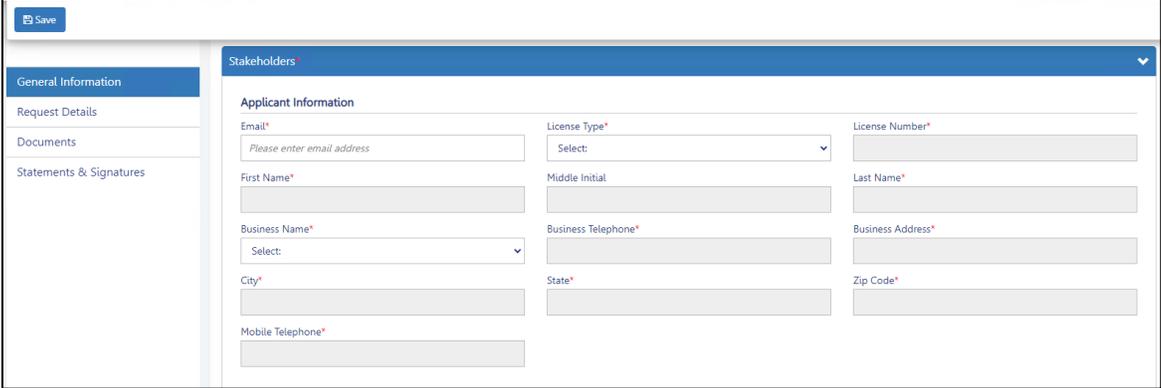
6.	On the **General Information** tab scroll down to the **Determination Details** section, you will have three sections to complete under Determination Details:
	
	 • **Is this Pre-Determination associated to an existing Project?**
	     o If **YES**, you will be prompted to enter the *Project Number*.
	     o If **NO**, you will be prompoted to answer the question regarding "*Do you plan/intend to file your construction at the HUB?*"
	
	 • **Determination Class** (Construction Code Determination or Zoning Determination)
	
	 • **Determination Sub Class**

Step	Action
7.	For **External Agency Pre-Determinations**, a drop-down will allow the Applicant to specify the origin of the Job Filing. Identify Agency where application originated:* Select: **Select:** FDNY Small Business Services School Construction Authority
8.	If you choose a Determination Class of **Zoning Determination**, the **Sub Class** will automatically default to **Interpretation or Clarification**. A Determination class of **Construction Code Determination** will allow selection of any **Determination Sub** Class from: • Interpretation or Clarification • Variation of Construction Code or Rules §28-103.3 • Variation of Multiple Dwelling Law (MDL) for Article 7B Buildings **Determination Details** Is this Pre-Determination associated to an existing Project?* ○ Yes ○ No Determination Class:* ○ Construction Code Determination ○ Zoning Determination Determination Sub Class (Select One):* ☐ Interpretation or Clarification ☐ Variation of Construction Code or Rules per §28-103.3 ☐ Variation of Multiple Dwelling Law (MDL) §277.16 for Article 7B Buildings

Step	Action
9.	Enter the **Description of Request**. Click **Save** to proceed to the next tab. **Description of Request*** Description of Request 4978 characters remaining
10.	On the **Request Details** tab fill in all the necessary information. This section will allow you to confirm if the Pre-Determination is associated with any previously filed job (and enter the Job Number), request for 1-3 Family dwelling, or for HPD Affordable housing. These questions, along with the Fee Exempt question will determine if the Pre-Determination fee is waived or not. **NOTE:** If you wish to link the Pre-Determination result with a Job Filing, you MUST list the Job Filing in the Request Details. Pre-Determinations CANNOT be linked to Job Filings after the fact. **PDA00008388** General Information **Request Details** Documents Statements & Signatures **Request Details** Request Details* Is this Pre-Determination associated with any previously filed job?* ◉ Yes ○ No Job/Application Number* *For DOB NOW jobs, use format M00000001-I1. For BIS jobs, use format 123456789-01.* Request for 1-3 family dwelling?* ○ Yes ○ No For Housing Preservation and Development Affordable Housing?* ○ Yes ○ No Enter a Short Description of Request Request Description* 50 characters remaining Construction Code Year Code Section ⓘ Select Code Year: Electrical Code Year Electrical Code Section

Step	Action
11.	Further down within the Request Details tab, • **Enter a Short Description of Determination. The Description is required.** • Construction Code Year, and Code section are helpful to include if requesting a clarification on construction code. • Enter Zoning Information including the zoning districts, zoning overlays and special districts.
12.	On the Documents Tab, click **+Add Document** to upload the necessary documents. If the user has chosen **Yes** to the question about HPD Affordable Housing, **Affordable Housing Supporting Documentation** must be uploaded supporting that answer. If **Yes** was selected in regards to the Fee Exemption question, the user must upload the **Fee Exemption Document** to the documents section.

Step	Action
13.	Name the document and choose the type from the drop down menu and then navigate to the document you wish to upload. Click the **Upload** button. Click **Save**.

Upload Document

Document Name*

New Doc

Document Type*

Additional Supporting Document

Document

Choose File   Accela ELP ...1 030416.pdf

Upload   Cancel

Step	Action
14.	On the **Statements & Signatures** tab, click the checkbox to **Applicant Attestation**. Click **Save**.

Save   Submit

PDA00005410

General Information
Request Details
Documents
Statements & Signatures

Statements & Signatures

Applicant Attestation*

☑ I hereby state the information on this form is correct and complete to the fine or imprisonment, or both. I also understand it is unlawful to give to a properly performing the job or in exchange for special consideration. Vio knowingly or negligently made a false statement or to have knowingly or certification of the correction of a violation required under the provisions the Department.

Name*

ADAM JOE2

(Electronically Signed)

Step	Action
15.	On the right side toolbar click the **Pay Now** button to pay the $1,000 fee if necessary. For instructions on how to navigate the CityPay system, go to the DOB NOW Payment User Manual.
16.	Click **Save** then click **Submit**
17.	Using the navigation bar at the top of the window click the **Next** button to go to the last page.

Step	Action
18.	At the bottom of the last page click the checkbox and the click the **File** button to complete the process.

> ☑ I understand and agree that by personally clicking on the box at left I am electronically signing this application and expressing my agreemen understand that this electronic signature shall have the same validity and effect as a signature affixed by hand.
>
> Name   BUILD 139   Date   04/06/2023
> (Electronically Signed)
>
> ◢ File   ⟳ Return to Filing View

Step	Action
19.	Once a decision is made on the Pre-Determination, Applicants will receive an email notification. A **Decision Document** will also be uploaded to the Pre-Determination request. To view the decision document, open the **Determinations & Appeals Dashboard** by clicking on the Menu icon located on the vertical tool bar on the left side of the screen. Then click on **Determinations & Appeals** from the **Requests** section.
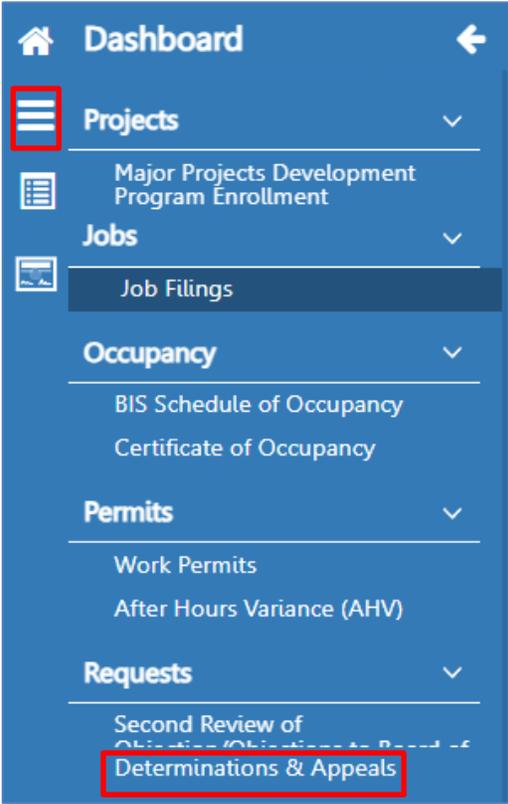
After selecting Determinations & Appeals, the dashboard will display. Double click the filing to view the form which will also allow you to view Decision Document.

Step	Action
20.	Users can view the Response Document by clicking on the **Print Response Document** button located in the upper right corner of the portal page.

21.	After a decision is made, if users wish to file an Appeal, they can do so by choosing **Appeal** from the **Select Action** drop-down on the Determinations & Appeals dashboard. The form for submitting an appeal is identical to that for submitting a Determination.

Alternatively, you may also file an appeal by clicking on the **+Determinations** button and selecting **Appeal** from the dropdown menu.
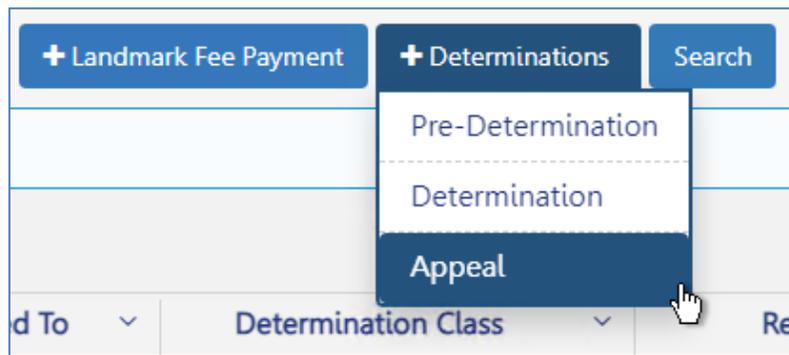
After selecting Appeal from the dropdown menu, the **New Appeal Request** screen will appear where you may search by **BIN** or **Job Filing Number**.

Step	Action
	The system will display all Determination and Appeal requests related to the chosen Job Filing Number or BIN. In the drop-down menu for the <u>latest request</u>, choose **Appeal**. **Determination Lists** | Filing Action	Request Number	Determination Type	Determination Class
Select Action:	SECPE00005647-A1	Appeal	CCD1
Select Action: **Appeal**	CPE00005647-D1	Determination	CCD1
	CPE00005647	Not Applicable	CCD1	
	You have now completed the **How to File a Pre-Determination Step by Step Guide**.