



August 2, 2012

Notice of Violation



*****AUTO**3-DIGIT 100 T1 P1 1

NEW YORK NY 10001-5012

Robert D. LiMandri
Commissioner

Borough/Block/Lot:
Premises:
BIN:

Benchmarking
280 Broadway, 5TH Floor
New York, New York 10007
nyc.gov/buildings

Violation No:

Date of Violation: 05/03/2012

+1 212 341-8601

DEAR

City of New York records demonstrate that you are in violation for failure to submit the total energy usage of your building ("Benchmark") for the Benchmarking period 2011 as mandated by the NYC ADMINISTRATIVE CODE §28-309.4. This information is required to be submitted annually no later than May 1. For further information on benchmarking, including how to establish an account and file a report, please visit the City's Green Buildings and Energy Efficiency website at www.nyc.gov/html/gbee/html/plan/plan.shtml

Applicability – Covered Buildings under NYC ADMINISTRATIVE CODE §28-309.2, are, as per Department of Finance records:

- Any building greater than 50,000 gross square feet;
- Two or more buildings on the same tax lot that together exceed 100,000 gross square feet;
- Two or more buildings held in a condominium form of ownership that together are larger than 100,000 gross square feet.

To dismiss this Violation, you are required to:

1. Pay the penalty for failure to file the Benchmarking Report at any Department of Buildings office. Payment must be **made in person** by either **Certified (bank) check or money order** payable to "NYC Department of Buildings" for the penalty amount stated below, as per Title 1 of the Rules of the City of New York §103-06(l); then
2. Present a copy of the DOB cashier's receipt for payment of \$500.00 penalty, either in person to the Administrative Enforcement Unit, 280 Broadway, 5th Floor, New York, New York, or by mail to **BENCHMARKING, 280 Broadway, 5th Floor, New York, New York 10007**, or by email to sustainability@buildings.nyc.gov :

Penalty Amount: **\$500.00**

***Note: Continued failure to benchmark the 2011 report may result in additional violations on a quarterly basis with a penalty of \$500 per quarter**

If you believe this violation was issued in error, you are directed to either mail or email the completed Local Law 84/2009 BENCHMARKING VIOLATION CHALLENGE FORM, within 30 days from the postmark date of this violation to:

Mail:

BENCHMARKING
Department of Buildings
280 Broadway, 5th Floor
New York, NY 10007

Email:

sustainability@buildings.nyc.gov

Phone:

212-341-8601



The Local Law 84/2009 BENCHMARKING VIOLATION CHALLENGE FORM is available at:
www.nyc.gov/html/dob/html/sustainability/benchmarking.shtml

A reason for the challenge to this Violation must be documented. This challenge may include, but is not necessarily limited to, one of the following:

1. Proof from the Department of Finance that the building in question is not a covered building as defined in NYC ADMINISTRATIVE CODE §28-309.2;
2. Proof of timely Benchmarking as indicated by a confirmation email from the U.S. Environmental Protection Agency's Portfolio Manager that includes a date-stamped copy of data released to the city; or
3. Proof of change in ownership during the year in question.

If you have any questions, please email: sustainability@buildings.nyc.gov with "Benchmark Violation Questions" on the subject heading.

Robert D. LiMandri

A handwritten signature in black ink, appearing to read "Robert D. LiMandri".

Commissioner