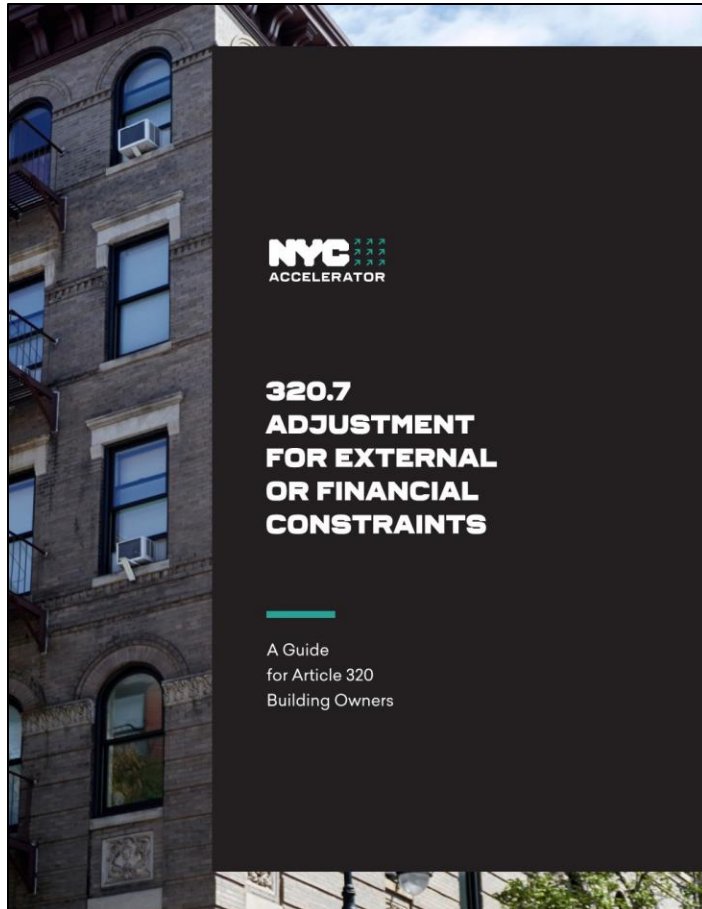


User Guide

LL97 Application for §320.7 Adjustment

Background: §320.7 Adjustment - NYC Accelerator Guide



| NYC ACCELERATOR 320.7 Adjustment for External or Financial Constraints: A Guide for Article 320 Building Owners | | |
|---|---|-----------------------------------|
| Provision of Law/Condition Description & Technical Explanation (a, b) | Document Required in 2025 | Documentation Required After 2025 |
| Brief written statement outlining the legal or physical constraints preventing compliance and an explanation why such constraints prevent compliance. | For legal constraints, relevant provisions of law/code and a detailed explanation of why such provisions prevent strict compliance. For physical constraints, a description of the physical constraints and a technical explanation of why such constraints prevent strict compliance. | Same as 2025 |
| Decarbonization Plan (c) | Document Required in 2025 | Documentation Required after 2025 |
| Document carbon reduction alterations and energy efficiency measures implemented since 2019, and actual emissions reductions and efficiency increases achieved. | Identify carbon reduction retrofits and energy efficiency measures implemented since 2019, including actual emissions reductions and energy efficiency increases achieved, and Calculated percentage decrease in building emissions from 2019 to 2024. | Same as 2025 |
| Document the emissions limit, along with the prior year's annual emissions and energy consumption both with and without the constraint. | Identify emissions limit for the building for 2024-2029 and 2030-2034; and Identify annual emissions, energy consumption and associated fuel use, both with and without the constraint, using submetering, estimation, or the "engineering survey or other formula" used to substantiate the NYS sales tax exemption for utilities used in production. | Same as 2025 |

PAGE 6

| NYC ACCELERATOR 320.7 Adjustment for External or Financial Constraints: A Guide for Article 320 Building Owners | |
|---|--|
| Building Type | Qualifying Metric |
| For buildings held in a condominium or cooperative form of ownership: | A 3-year average increase in annual carrying charges per dwelling unit of 5% above the average rate of inflation for the same 3-year period, and confirmation of the condominium or cooperative form of ownership. The applicable rate of inflation reflects the Northeast Consumer Price Index standard and is indicated in the template for this application available on the LL97 reporting portal (BEAM) |
| For buildings exempt from real property taxes pursuant to sections 420-a, 420-b, 446, or 462 of the real property tax law and applicable local law: | The building owner had negative revenue after subtraction of expenses for the combined two years prior to the application, and confirmation of the applicable real property tax law |
| For buildings that are party to an affordable housing regulatory agreement and/or buildings with no existing debt : | The building's income-expense ratio, as calculated pursuant to the template provided by the Department, is less than 1.05, and confirmation of the affordable housing regulatory agreement or no debt status; |
| For all other building types : | The building's debt service coverage ratio, as calculated pursuant to guidance issued by the Department, is less than 1.15 |

| Section 5: Filing Fees | |
|---|------------|
| Adjustment Type | Filing Fee |
| External constraints (pursuant to RCNY § 103-12(b)) | \$3,540 |
| Financial constraints (pursuant to RCNY § 103-12(c)(3)) | \$690 |
| Financial constraints (pursuant to RCNY § 103-12(c)(4)—buildings on the NYC Tax Lien Sale List) | \$690 |

Contact NYC Accelerator today to get started.
[accelerator.nyc.li/97](#) | 212.656.9202 | [info@accelerator.nyc](#)
[linkedin.com/company/nycaccelerator](#)
NYC Accelerator is a program of the NYC Mayor's Office of Climate & Environmental Justice.

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https://www.nyc.gov/assets/buildings/pdf/nyc_acc_guide_.pdf

Background: §320.7 Adjustment - External and Financial Constraints

LL97 section 28-320.7 provides pathways for owners to receive **temporary case-by-case adjustments** to their **emissions limits** if they face **external or financial constraints**.

External constraints can be **legal** or **physical** (“imposed by another provision of law...or...a physical condition of the building or building site...”).

- Adjustment is valid up to **three years**.
- **The specific adjusted emissions limit is described by the RDP in their submission.**

Financial constraints involve circumstances that prevent compliance based on established metrics that reflect industry best practices.

- Adjustment is valid up to **one year**.
- **The adjusted emissions limit will be equal to a building’s actual emissions.**

The corresponding Rule to 28-320.7, describing specific submission procedures, is [1 RCNY §103-12](#).

Background: §320.7 Adjustment - Eligibility

1. Owner engages with NYC Accelerator (NYCA) and is assigned an Account Manager.
2. Owner verifies qualifying circumstance for the 320.7 Adjustment.
 - Building must have existed on or before November 15, 2019; and
 - LL97 annual emissions report for the calendar year prior must be submitted; and
 - The maximum amount of **AHRF offsets** (10% of building emissions limit) has been purchased; and
 - An appropriate party attests to the adjustment application:
 - **RDP** attests to external constraint; or
 - **CPA** attests to financial constraint; or
 - Owner attests to building's presence on NYC Tax Lien Sale list.
3. Owner and NYCA fill out an Adjustment Process Attestation (APA) Form.
4. 320.7 Adjustment Application submitted in the LL97 Reporting Platform (BEAM) by that year's reporting deadline.

Background: §320.7 Adjustment – External Constraints



Quelle: Deutsche Fotothek

Approach – Consider emissions directly associated with external constraint separately from other emissions and ensure as much work is being done as possible to achieve overall energy efficiency and emissions reductions.

Background: §320.7 Adjustment – External Constraints

The following three legal and/or physical circumstances have thus far been identified by the Department as **acceptable external constraints** for purposes of 320.7 adjustment applications:

i. Industrial and manufacturing (I&M) properties

- Previously the focus of a 2/19/2025 NYCA webinar, available to view on NYCA's YouTube page
- More details on next slide

ii. Hospitals

- E.g. those that are subject to health and safety regulations requiring them to use equipment and operate in manners that make it not feasible to decarbonize

iii. Certain landmarked buildings

- Landmarks Preservation Commission (LPC) needs to issue a denial related to the constraint
- Building must have implemented all other possible emissions reduction measures
- Does not apply to the majority of NYC landmarks

Background: §320.7 Adjustment – External Constraints

I&M buildings are considered to have external constraints when they feature specialized, equipment and processes that cannot feasibly be decarbonized using currently available technology.

1. Eligible I&M buildings are generally all three of the following:
 - a. Building Code **occupancy groups F** (Factory) **or H** (High Hazard); and
 - b. **NAICS Sectors 31, 32, or 33** (manufacturing); and
 - c. Energy Star Portfolio Manager (**ESPM**) property type “**Manufacturing/Industrial Plant.**”
2. Emissions attributable to I&M constraints generally fall under the ASHRAE definition of **process load** and **process energy**: *“the load on a building resulting from the consumption or release of (energy consumed in support of a manufacturing, industrial, or commercial processes other than conditioning spaces and maintaining comfort and amenities for the occupants of a building).”*
3. Process energy can be measured using the methodology described in **NY State Tax Bulletin ST-917**, which describes the sales tax exemption for “**utilities used in production.**”

Background: §320.7 Adjustment – External Constraints

For 320.7 external constraints, the adjusted emissions limit is not simply a percentage of the building's actual (CY2018) emissions, as it was under 320.8 and 320.9). Instead, the submitting RDP proposes a number.

- **The proposed adjusted emissions limit should equal the building's regular emissions limit plus the emissions directly attributable to the external constraint.**

Example:

- a. An I&M building's emissions in both CY2018 and CY2024 were **2500 tCO₂e**. Its 2024-29 emissions limit is only **150 tCO₂e**, so it is facing a significant penalty.
- b. It previously received a 320.8 adjustment of 70% of 2500 = **1800 tCO₂e**. It can now apply for a revised adjustment under 320.7 by showing the emissions attributable to process loads.
- c. The building has **2400 tCO₂e** attributable to process loads. It has only **100 tCO₂e** attributable to non-process loads, which is less than its emissions limit of 150 tCO₂e.
- d. The RDP proposes a 320.7 adjusted emissions limit of $2400 + 150 = \mathbf{2550\ tCO_2e}$, which is approved by the Department as all required supporting documentation is provided.

NOTE: the 320.7 limit supersedes the 320.8 limit; the two limits do not stack.

Background: §320.7 Adjustment - External Constraints

Supporting documentation that only needs to be submitted for 320.7 external constraints submissions (and is not required for 320.7 financial constraints submissions) includes the following:

- **Detailed description of the legal provision or physical condition creating the constraint;** and
- **Technical explanation** of how such provision or condition makes it not reasonably possible for the building to comply with its emissions limit; and
- **Plan for decarbonization** that lists the building’s scheduled efforts to achieve compliance with its base emissions limit to the maximum extent possible over time.
 - In reporting year 2025, such a plan is less detailed than the “Decarbonization Plan” required when applying for Good Faith Efforts (GFE) under LL97 Article 320. In reporting years after 2025, such a plan will be required to be more like the GFE Decarb Plan.

Background: §320.7 Adjustment - External Constraints (Plan for Decarbonization)

| Information to be shown | Documentation Required in 2025 | Documentation after 2025 |
|---|--|--------------------------|
| I. Document progress made since the passage of LL97. | <ul style="list-style-type: none">* List decarbonization and energy efficiency measures implemented since 2019, including actual emissions and energy reductions achieved; and* Show the percentage change from 2019 to 2024. | Same as 2025 |
| II. Document current LL97 compliance status, and emissions attributed to the external constraint | <ul style="list-style-type: none">* Show the unadjusted emissions limits for the building for 2024-29 and 2030-34; and* Show the measured or estimated annual energy consumption both with and without the constraint. | Same as 2025 |

Background: §320.7 Adjustment - External Constraints (Plan for Decarbonization)

| Information to be shown | Documentation Required in 2025 | Documentation after 2025 |
|--|--|---|
| III. Document current building systems. | <ul style="list-style-type: none">* List of all major base building and tenant equipment, including fuel type; OR* LL87 report created within the last 4 years; OR* Other energy/carbon audit from an incentive program (i.e. FlexTech); OR* Previous 320.8 adjustment application. | <p>Same as 2025, plus:</p> <ul style="list-style-type: none">* List of all building equipment, including date of installation and whether such equipment serves multiple buildings; AND* Energy end-use breakdown (lighting, heating, cooling, ventilation, pumps, plug/process loads, domestic hot water, etc). |

Background: §320.7 Adjustment - External Constraints (Plan for Decarbonization)

| Information to be shown | Documentation Required in 2025 | Documentation after 2025 |
|--|---|---|
| IV. Document plan for decarbonization to the maximum extent possible. | <ul style="list-style-type: none">* Identify decarbonization measures that can be implemented, as well as measures that cannot be reasonably implemented and why; OR* Submitted plan from 320.8 application with current status of implementation. | <p>Same as 2025, plus:</p> <ul style="list-style-type: none">* For each decarbonization and energy efficiency measure identified, the estimated carbon / energy savings, cost, and anticipated installation date. |

Background: §320.7 Adjustment - External Constraints

| Minimum Requirement for External Constraint Submission | Required for Article 320 | N/A for Article 321 |
|--|--------------------------|---------------------|
| Confirm building was in existence prior to Nov. 15, 2019 (<i>checkbox in BEAM</i>) | x | |
| LL97 Annual Emissions report in 2025 (<i>ticket submission in BEAM</i>) | x | |
| NYCA APA Form (<i>upload in BEAM</i>) | x | |
| Purchase of offsets (10% of building emissions limit); no RECs allowed | x | |
| Adjusted Emissions Limit (<i>RDP enters proposed value in BEAM</i>) | x | |
| Technical Explanation (<i>supporting documentation upload in BEAM</i>) | x | |
| RDP Attestation (<i>checkbox and upload in BEAM</i>) | x | |

Background: §320.7 Adjustment - Financial Constraints

| Building Type | Qualifying Metric |
|---|--|
| For buildings held in a condominium or cooperative form of ownership: | A 3-year average increase in annual carrying charges per dwelling unit of 5% above the average rate of inflation for the same 3-year period, and confirmation of the condominium or cooperative form of ownership. |
| For buildings exempt from real property taxes pursuant to sections 420-a, 420-b, 446, or 462 of the real property tax law and applicable local law: | The building owner had negative revenue after subtraction of expenses for the combined two years prior to the application, and confirmation of the applicable real property tax law. |
| For buildings that are party to an affordable housing regulatory agreement and/or buildings with no existing debt : | The building's income-expense ratio, as calculated pursuant to the template provided by the Department, is less than 1.05, and confirmation of the affordable housing regulatory agreement or no debt status. |
| For all other building types | The building's debt service coverage ratio, as calculated pursuant to guidance issued by the Department, is less than 1.15 |

Background: §320.7 Adjustment - Financial Constraints

- [LL97 Financial Constraints Metric Templates Coops and Condos](#)
- [LL97 Financial Constraints Metric Templates Nonprofits](#)
- [LL97 Financial Constraints Metric Templates Market Rate](#)
- [LL97 Financial Constraints Metric Templates Affordable](#)

| | A | B | C | D | E |
|----|---|---|---|---|---|
| 1 | | | | Financial Constraint Adjustment Worksheet Metric Test: Debt Service Coverage Ratio | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | For Fiscal Year Ending: | |
| 6 | | | | | |
| 7 | | | | Net Profit/Loss per Audited Financial Statements | |
| 8 | | | | Non-Cash Expenses (Depreciation and Amortization) | |
| 9 | | | | Interest Expense | |
| 10 | | | | Expensed Capital Improvements | |
| 11 | | | | Required Deposits to Replacement Reserves | |
| 12 | | | | Total Cash Available for Debt Service: | |
| 13 | | | | | |
| 14 | | | | Annual Mortgage Debt Service: | |
| 15 | | | | | |
| 16 | | | | Debt Service Coverage Ratio (DSCR): | |
| 17 | | | | | |
| 18 | | | | Is the DSCR <1.15? | |
| 19 | | | | | |
| 20 | | | | Notes | |
| 21 | | | | (1) Metric: DSCR = Cash flow available for debt service/debt service <1.15. | |
| 22 | | | | (2) Expensed capital improvements: Necessary or emergency capital expenditure paid from operations (not from replacement reserves) would be added for purposes of the DSCR test. | |
| 23 | | | | | |
| 24 | | | | | |
| 25 | | | | | |

Market Rate

Background: §320.7 Adjustment - Financial Constraints

| Minimum Requirement for Financial Constraint Submission | Required for Article 320 | Required for Article 321 |
|--|--------------------------|--------------------------|
| Confirm building was in existence prior to Nov. 15, 2019 (<i>checkbox in BEAM</i>) | x | |
| LL97 Annual Emissions report in 2025 (<i>ticket submission in BEAM</i>) | x | |
| NYCA APA Form (<i>upload in BEAM</i>) | x | x |
| Purchase of offsets (10% of building emissions limit) and RECs | x | |
| CPA Attestation (<i>checkbox and upload in BEAM</i>) | x | x |
| Financial Metric Template (<i>upload in BEAM</i>) | x | x |

| Minimum Requirements for Tax Lien Sale List Submission | Required for Article 320 | Required for Article 321 |
|--|--------------------------|--------------------------|
| Confirm building was on the DOF list – document upload | x | x |

Background: \$320.7 Adjustment - Financial Constraints

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Lien sales

If you do not pay your property taxes, water and sewer charges, and other property-related charges, your property may be at risk of being included in a lien sale.

When you are included in the lien sale, the City of New York sells your debt to an authorized buyer. The buyer then has the right to collect what you owe. This does not mean that your property has been sold, but if you do not resolve your outstanding debt, the lien sale can be a first step toward foreclosure.

The next lien sale is scheduled for May 20, 2025.

Properties eligible for the lien sale

| Data as of 3/17/2025 | Acrobat | Excel |
|----------------------|--------------------------|--------------------------|
| Manhattan | Download | Download |
| Bronx | Download | Download |
| Brooklyn | Download | Download |
| Queens | Download | Download |
| Staten Island | Download | Download |

Click here to go to the [NYC DOF's Lien Sales Page](#)

For LL97 adjustment applications, the data must be post-May 20

NYC
Buildings

LL97 Application for \$320.7 Adjustment

17

Critical Information for DOB NOW: Safety



The **Owner, Owners Representative, and Service Provider (RDP/RCxA) email** addresses **must be** provided in the DOB NOW Filing Fee process.

- These **3 email addresses** are the only way to **access** your building profile in **BEAM**.
- While you may be able to create a BEAM account without submitting a DOB NOW filing fee, applicable building information will **not** be present in your building profile.
- The **BEAM account** must be **created** using **one of the three email addresses** identified in the LL97 DOB NOW Fee portal associated with the BIN/BBL.

Email addresses entered in DOB NOW will serve as the **only** email addresses to view building profile in BEAM.

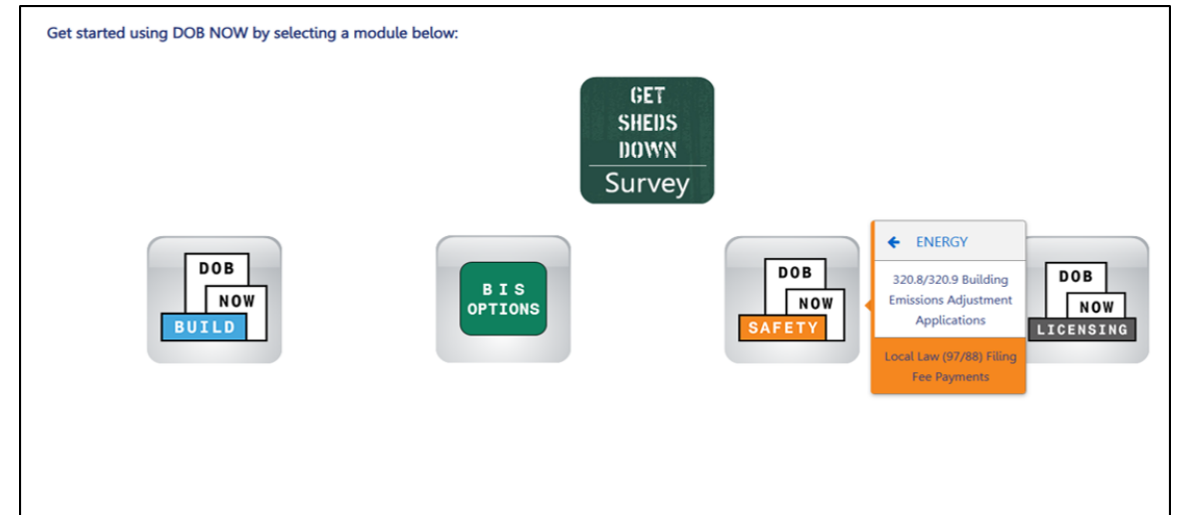
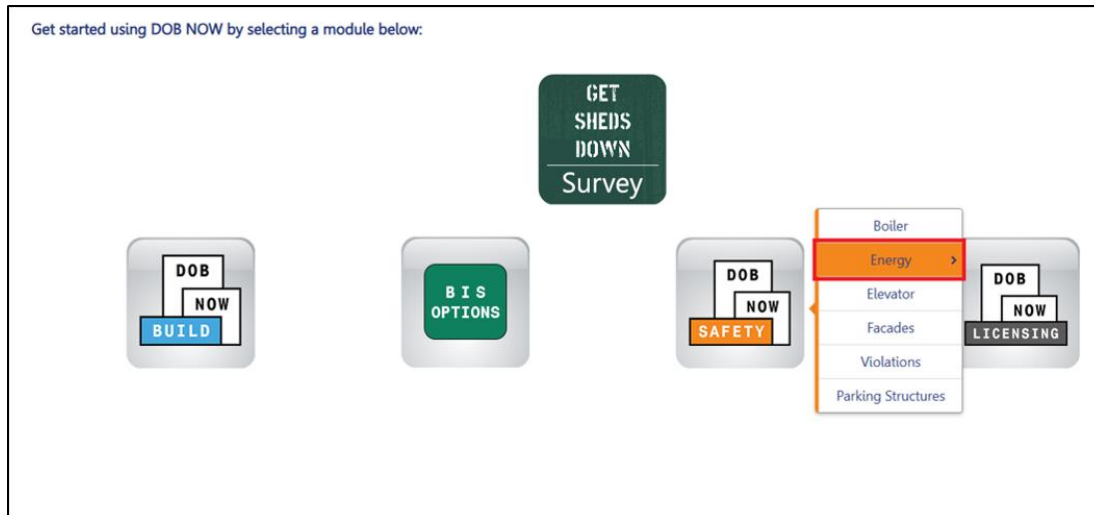
- Owner
- Owner Representative
- Service Provider (RDP/RCxA)

DOB NOW Filing Fee Payment information and submitted emails are transferred to BEAM on a nightly basis. It is not possible to complete a BEAM report in one day.

LL97 Application for §320.7 Adjustment Filing Fee



- Navigate to the DOB Now login page at nyc.gov/dobnow, enter your NYC.ID email address in the Email field, and select **Login**. If you need to create an NYC.ID account, select **Create Account** or use the [DOB NOW User Guide](#) for step-by-step instructions.
- After logging into DOB NOW, the Welcome page displays. Hover over **DOB NOW: Safety** and click **Energy**.
- From the Energy sub-menu, select **Local Law 97/88 Filing Fee Payments**.



LL97 Application for \$320.7 Adjustment Filing Fee

DOB
NOW

- On the Local Law Payments dashboard, select **+Local Law 97 Payment**.

DOB
NOW
SAFETY

NYC Department of Buildings
Local Law Payments

Home

+ Local Law 97 Payment

+ Local Law 88 Payment

Local Law 97 Fee Payments

Local Law 88 Fee Payments

| View... | Actions | Transaction Number | Transaction Status | Payment Status |
|-------------|---------------------------|--------------------|--------------------|----------------|
| <div></div> | <div></div> | <div></div> | <div></div> | <div></div> |
| <div></div> | <div>Select Action:</div> | LL97000001041 | Pre-filing | Due |

LL97 Application for \$320.7 Adjustment Filing Fee



In the **Stakeholders** section, select your role: **Owner** or **Owner's Representative**. The information of the logged in user will auto-populate in the selected section. Owner information is required.

- To **change the name or address**, select **Manage/Associate Licenses** from the person icon in the top right corner of the screen.
- If the **logged in user** is an **Owner's Representative**, enter the **email** address associated with the NYC.ID account of the **owner** on the **Owner Information Tab**. The grayed-out fields will auto-populate from the DOB NOW profile associated with the NYC.ID account.

NOTE: To submit a compliance report in BEAM, you must first pay your filing fee and create an account in BEAM using **one of the following emails provided here: Owner, Owner's Representative, or Service Provider (RDP/RCxA)**. Only these emails will allow you to access your building profile in BEAM. You **must** add all three email addresses by clicking either the Owner information or the Owner's Representative tabs.

A screenshot of the "Stakeholders" form in the BEAM system. The form has a title bar "Stakeholders*" with a right arrow. Below the title bar, there is a section "Are you an:" with two radio button options: "Owner" and "Owner's Representative (also provide Owner Information)". The "Owner" option is selected and highlighted with a red rectangle. Below this, there are two tabs: "Owner Information*" and "Owner's Representative". The "Owner Information*" tab is active. It contains several input fields: "Email*" (with placeholder "Please enter email address"), "Owner Type*" (a dropdown menu with "Select Type:" and highlighted with a red rectangle), "Service Provider (RDP/RCxA) email address", "First Name", "Middle Initial", "Last Name", "Business Name*", "Business Address*", "City*", "State*", "Zip Code*", and "Business Telephone". The "Owner's Representative" tab is currently inactive and grayed out.

LL97 Application for \$320.7 Adjustment Filing Fee



Under **Owner Information**, select **Owner Type**.

- The following owner types are **fee exempt**:
 - Buildings owned by a not-for-profit corporation that is used exclusively for educational, charitable and/or religious purposes,
 - Buildings owned by a Federal, State, City or foreign government.
- Fee-exempt owners are exempt from payment but still must complete these steps to get the Payment Confirmation Number to be entered in the BEAM Reporting Portal.**
 - If a fee exempt owner type is selected, the **NYC Department of Finance Property Information** must indicate that the **Tentative or Final Assessment Roll** assessed value is **zero**. Go to nyc.gov/nycproperty to **print proof** of exemption and upload it in the Reporting Portal with your report.

Stakeholders*

Are you an:*

☐ Owner ☒ Owner's Representative (also provide Owner Information)

Owner Information* Owner's Representative

Email*
Please enter email address

Owner Type*
Select Type: ▼

Service Provider (RDP/RCxA) email address

First Name

Middle Initial

Last Name

Business Name*

Business Address*

City*

State*

Zip Code*

Business Telephone

LL97 Application for §320.7 Adjustment Filing Fee



- Select **Article 320** or **Article 321** to indicate your compliance pathway.
- Select **No** when asked whether **you will be filing a compliance report in the LL97 Reporting Portal**.
- Select **No** when asked **are you submitting a 120-day extension request to file a compliance report in the LL97 Reporting Portal?**
- Select Yes when asked **will you be filing an Article 320.7 adjustment application in the LL97 Reporting Portal?**

Transaction Information*

Which article under Local Law 97 applies to your building?*(This information can be found on the LL97 Covered Buildings list.)

☒ Article 320 ☐ Article 321

Will you be filing a compliance report in the LL97 Reporting Portal?*

☐ Yes ☒ No

Are you submitting a 120-day extension request to file a compliance report in the LL97 Reporting Portal?*

☐ Yes ☒ No

Will you be filing an Article 320.7 adjustment application in the LL97 Reporting Portal?*

☒ Yes ☐ No

LL97 Application for \$320.7 Adjustment Filing Fee



- In the Property Information section, enter the **Borough, Block and Lot** and click **Search & Add**.

Property Information*

Select the BIN(s) for which you are filing a single report.

Borough, Block, Lot

Borough*

Select Borough

Block*

Enter Block

Lot*

Enter Lot

Search & Add

LL97 Application for \$320.7 Adjustment Filing Fee



- In the **Building Identification Number** pop-up window, check the box(es) by the BIN(s) for this payment then click **Select & Add**.

Building Identification Number

| | BIN | Address | Borough |
|-------------------------------------|---------|---------------------|-----------|
| <input checked="" type="checkbox"/> | 1028159 | 125 COLUMBUS AVENUE | MANHATTAN |

Total Items: 1

1

/ 1

10

Items Per Page

1 - 1 of 1 items

Select & Add 1

Cancel

LL97 Application for §320.7 Adjustment Filing Fee



Select one the following:

- RCNY § 103-12 (b) External Constraints
- RCNY § 103-12 (c)(3) Financial Constraint
 - *Financial Metric*
- RCNY § 103-12 (c)(4) Financial Constraint
 - *DOF Tax Lien Sale List*

| Building Identification Number | | | | |
|-------------------------------------|----------------------|----------------------|----------------------|---|
| | BIN | Address | Borough | 320.7 Adjustments |
| <input type="checkbox"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input checked="" type="checkbox"/> | 1028159 | 125 COLUMBUS AVENUE | MANHATTAN | <div>Select: Select: RCNY § 103-12 (b) External Constraints RCNY § 103-12 (c)(3) Financial Constraint RCNY § 103-12 (c)(4) Financial Constraint</div> |

LL97 Application for \$320.7 Adjustment Filing Fee



- The property information will then be listed in a grid under the Search & Add button and can be removed by selecting the trash icon. If selections are changed in the Transaction Information section after an address has been added, the system will remove the address and it will need to be re-entered.
- Select **Yes** to confirm the BIN(s) has either a single owner or the property is a co-op or condo.
 - Enter any **Related Payment Confirmation Number** (any payment that has already been processed in DOB NOW: *Safety* for the same property)

| Action | BIN | Address | Borough | Block | Lot |
|--------|---------|---------------------|-----------|-------|-----|
| | 1028159 | 125 COLUMBUS AVENUE | MANHATTAN | 1118 | 1 |

Is the selected BIN(s) associated with a single owner or is the property a co-op or condo?*

☒ Yes ☐ No

Related Payment Confirmation Number (any payment that has already been processed in DOB NOW: *Safety* for the same property).

Separate each by a comma ","

Save Proceed to Pay \$ 800

LL97 Application for \$320.7 Adjustment Filing Fee



- The Proceed to Pay button will display the payment amount. Click **Proceed to Pay** and then **Pay Now**.
- A **CityPay window** will open in a new window/tab where payment is made by selecting the Check or Credit Card tab. See the [DOB NOW Payments CityPay Manual](#) for step-by-step instructions.

Payment Confirmation

Are you sure you want to make a payment of Filing Fee Amount

eCheck payments can take up to 10 days to process. The transaction will not be complete until the payment is processed.

Please confirm that your pop-up blocker is turned off before clicking on the Pay Now button.

Pay NowCancel

320.7 Filing Fees

- RCNY § 103-12 (b) External Constraints: \$3,540
- RCNY § 103-12 (c)(3) Financial Constraint: \$690
- RCNY § 103-12 (c)(4) Financial Constraint: \$300

LL97 Application for \$320.7 Adjustment Filing Fee

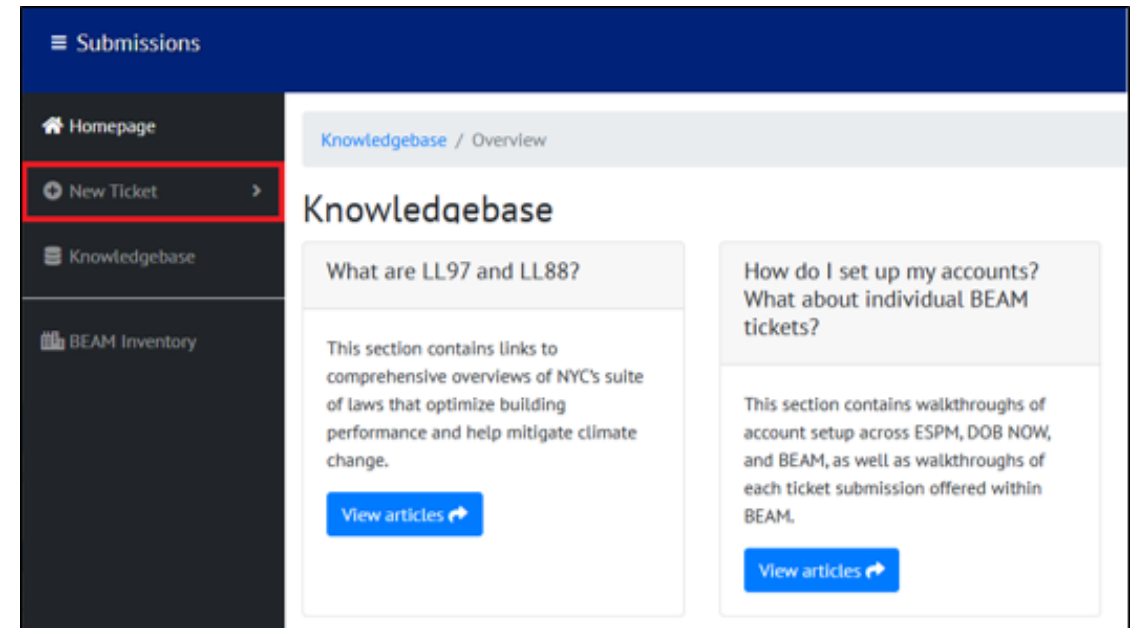
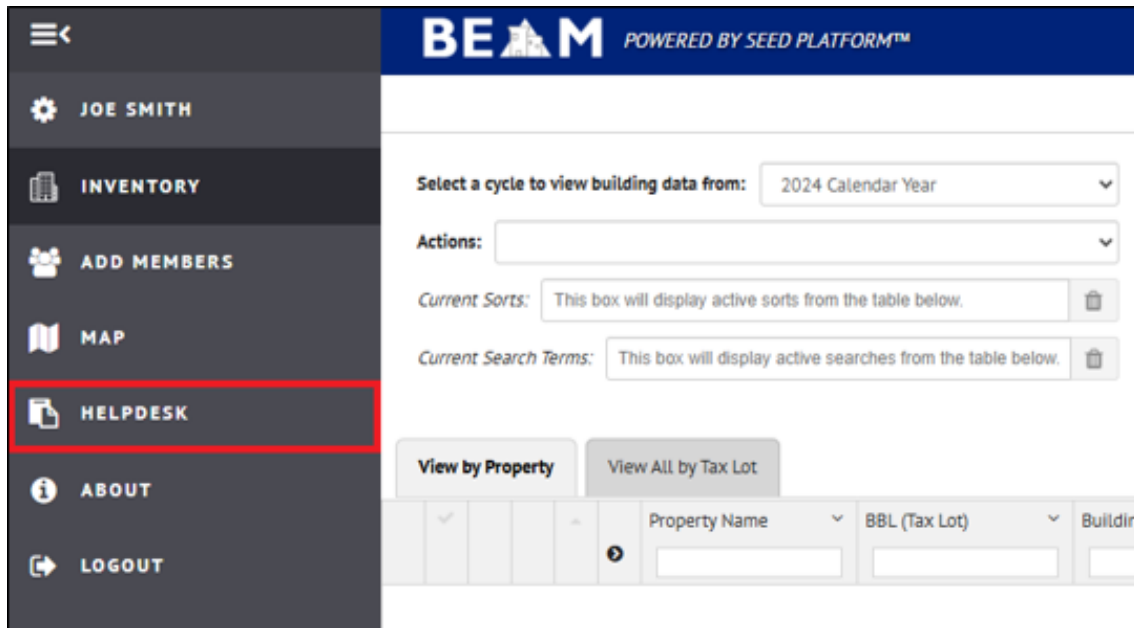


- After payment is submitted in City Pay, receipt details will be provided that show a receipt number. This is **NOT** the number to be entered into the BEAM Reporting Portal.
- Return to the DOB NOW window. For credit card/Paypal/Venmo payments, you will see a notification with a **Payment Confirmation Number**. This is the number to be submitted in the Reporting Portal. It will also be sent to you by email.
- For payments by **eCheck**, the status of the transaction will change to **Pending Payment Verification**.
 - The **Payment Confirmation Number** will be sent by email when the payment clears (**up to 10 business days** after it is submitted).
 - **Your data will not be logged in BEAM until:**
 - The payment clears; and
 - The status on DOB NOW no longer says "pending"; and
 - You have a payment confirmation number.

A screenshot of a notification window from the DOB NOW system. The window has a brown header bar with the word 'Notification' in white. Below the header, the text 'Payment has been processed.' is displayed in blue. A red rectangular box highlights the 'Payment Confirmation Number: 97ADJ7FC2000002239' in blue text. Below this, a message in blue text says 'Enter this Confirmation Number in the Reporting Portal. An email notification has also been sent with this Confirmation Number.' At the bottom right of the window is an 'OK' button with a brown border and white text.

LL97 Application for \$320.7 Adjustment

On the BEAM Platform at nyc.beam-portal.org, from the left sidebar, navigate to **Helpdesk**. Then again from the left sidebar, click **New Ticket**.



LL97 Application for §320.7 Adjustment



Select **10. LL97 Application for §320.7 Adjustment (Article 320 and Article 321)**.

Submit a 10. LL97 Application for §320.7 Adjustment (Article 320 and Article 321)

The 320.7 Adjustment Program for External or Financial Constraints supports building owners working to achieve compliance with LL97 by providing alternative emissions limits for a temporary extension under certain circumstances. These include:

An **external constraint adjustment** applies to buildings subject to another provision of law or affected by a physical condition that prevents compliance with emissions limits, such as requirements related to historic preservation or the use of bespoke equipment for industrial and manufacturing process loads.

A **financial constraint adjustment** applies to buildings subject to financial circumstances that prevent compliance, based on established financial metrics that reflect industry best practices for different ownership and regulatory building classifications.

A complete “10. LL97 Application for §320.7 Adjustment (Article 320 and Article 321)” ticket must include all of the following:

- Building address, Borough-Block-Lot (BBL) and Building Identification Number (BIN).
- Upload of all applicable supporting documentation.
- Confirmation of Registered Design Professional (RDP) attestation and upload of attestation documentation.
- DOB NOW Payment Confirmation Number.
 - 320.7 Adjustments (Item 1) RCNY § 103-12 (b) External Constraints: i.e. 97ADJ7ECxxxxxx
 - 320.7 Adjustments (Item 2.1) RCNY § 103-12 (c)(3) Financial Constraint: i.e. 97ADJ7FC1xxxxxx
 - 320.7 Adjustments (Item 2.1) RCNY § 103-12 (c)(4) Financial Constraint: i.e. 97ADJ7FC2xxxxxx

LL97 Application for §320.7 Adjustment



- On the Create Ticket page, enter **Submitter Email**. This email address will receive copies of all public updates to this ticket. **The email address must match one of the following:** one of the email addressees entered in DOB NOW (building owner, owner representative, or service provider).
- Enter **Borough-Block-Lot (BBL)**, **Building Address** and **Building Identification Number (BIN)**.

Submitter Email*

This e-mail address will receive copies of all public updates to this ticket.

Enter Building Address*

Enter address as it appears on NYC DOB BIS.

Enter Borough-Block-Lot (BBL)*

Enter BBL as it appears on LL97 CBL.

BBLs must be 10 numerical digits, including any leading zeros for the block and lot (i.e. 1012234067). There should be no dashes, spaces, or other characters within the digits.

Enter Building Identification Number (BIN)*

Enter BIN as it appears on LL97 CBL.

BINs must be 7 numerical digits (i.e. 1234567) There should be no dashes, spaces, or other characters within the digits.

LL97 Application for §320.7 Adjustment

- Select from the dropdown whether your building is subject to Article 320 or Article 321?
 - Article 320
 - Article 321

Is your building subject to Article 320 or Article 321?

Article 320

Article 321

LL97 Application for §320.7 Adjustment - Article 320

Select the compliance pathway: **Article 320**

Select the adjustment type that best describes the building:

- External constraint
- Financial constraint
- Inclusion on the Department of Finance's New York City Tax Lien Sale List

Is your building subject to Article 320 or Article 321?

Article 320

Please select the adjustment type that best describes the building:*

External constraint

Financial constraint

Inclusion on the Department of Finance's New York City Tax Lien Sale List

Please enter the license number of the reviewing Registered Design Professional.

- Select the adjustment type: **External Constraint:**
- Enter the proposed 320.7 adjusted limit determined by your RDP

Is your building subject to Article 320 or Article 321?

Article 320 ▼

Please select the adjustment type that best describes the building:*

External constraint ▼

Please enter the proposed 320.7 adjusted limit in tCO₂e:

LL97 Application for §320.7 Adjustment: Article 320 – External Constraint



- Click "**Choose file**" and upload the following supporting documentation:
 - The below materials as prepared by a registered design professional:
 - A description of the provision of law or physical condition preventing compliance with the annual building emissions limit and a technical explanation of how such provision or condition makes it not reasonably possible for the building to achieve strict compliance with the annual building emissions limit; and
 - A technical explanation of the building's efforts to achieve compliance with the annual building emissions limit to the maximum extent possible, including:
 - All carbon reduction alterations and energy efficiency measures implemented since 2019, including actual emissions reductions and efficiency increases achieved,
 - The building's emissions limit, along with the prior year's annual emissions and energy consumption both with and without the constraint,
 - The building's current operational status, including building systems,
 - Measures the owner will implement to achieve decarbonization to the maximum extent possible, and
 - All alternative methods to achieve compliance considered and why such methods were not deemed reasonably possible; AND
 - The completed 320.7 Adjustment Process Attestation (APA) Form signed by the NYC Accelerator.

Is your building subject to Article 320 or Article 321?

Article 320

Please select the adjustment type that best describes the building.*

External constraint

Please enter the proposed 320.7 adjusted limit in tCO₂e:

Please submit supporting documentation.

Choose File

No file chosen

- Confirm that the building has met all the following conditions:

Please confirm that the building has met all of the following conditions:

☐

1. Building was in existence, or permit for construction issued, prior to November 15, 2019.
2. Building emissions report for the calendar year prior to the submission of the application for an adjustment was submitted, including: a) actual building emissions for the prior calendar year; b) the gross floor area of the building; c) the property types in the building; d) the building emissions intensity based on actual emissions for the prior calendar year.
3. Owner has purchased maximum allowable amount of greenhouse gas offsets.

- Please confirm that this report has been reviewed by a Registered Design Professional.
- Please enter the license number of the reviewing Registered Design Professional.
- Please upload an attestation by the reviewing Registered Design Professional
 - [Article 320 Attestation Form](#)

Please confirm that this report has been reviewed by a Registered Design Professional.

☐

Please enter the license number of the reviewing Registered Design Professional.*

This is a required field.

RDP License # lookup: [NYS Department of Professions](#)

Please upload an attestation by the reviewing Registered Design Professional.*

No file chosen

This is a required field. **DOB will provide attestation template.**

- Select the adjustment type: **Financial Constraint**:
- Click "**Choose file**" and upload the following supporting documentation:
 - **The completed financial constraint metric template** prepared by a Certified Public Accountant, and
 - [LL97 Financial Constraints Metric Templates Coops and Condos](#)
 - [LL97 Financial Constraints Metric Templates Nonprofits](#)
 - [LL97 Financial Constraints Metric Templates Market Rate](#)
 - [LL97 Financial Constraints Metric Templates Affordable Housing and/or No Debt](#)
 - The completed **320.7 Adjustment Process Attestation (APA) Form** signed by the NYC Accelerator
 - The completed [320.7 Adjustment CPA Attestation Form](#)

Is your building subject to Article 320 or Article 321?

Article 320

Please select the adjustment type that best describes the building:*

Financial constraint

Please submit supporting documentation.

Choose File

No file chosen

Please provide the following documentation:

i. The completed financial constraint metric template prepared by a Certified Public Accountant, and

ii. The completed 320.7 Adjustment Process Attestation (APA) Form signed by the NYC Accelerator.

- Confirm that the building has met all the following conditions:

Please confirm that the building has met all of the following conditions:

☐

1. Building was in existence, or permit for construction issued, prior to November 15, 2019.
2. Building emissions report for the calendar year prior to the submission of the application for an adjustment was submitted, including: a) actual building emissions for the prior calendar year; b) the gross floor area of the building; c) the property types in the building; d) the building emissions intensity based on actual emissions for the prior calendar year.
3. Owner has purchased maximum allowable amount of [greenhouse gas offsets](#).

- Select the adjustment type: **Inclusion on DOF NYC Tax Lien Sale List:**
- Click "**Choose file**" and upload proof the building is on the Department of Finance's annual New York City Tax Lien Sale List:

Is your building subject to Article 320 or Article 321?

Article 320 ▼

Please select the adjustment type that best describes the building:*

Inclusion on the Department of Finance's New York City Tax Lien Sale List ▼

Please submit supporting documentation.

No file chosen

Please submit proof the building is on the Department of Finance's annual New York City Tax Lien Sale List.

LL97 Application for §320.7 Adjustment: Article 321

Select the compliance pathway: **Article 321**

Select the **adjustment type** that best describes the building:

- Financial constraint
- Inclusion on the Department of Finance's New York City Tax Lien Sale List

Is your building subject to Article 320 or Article 321?

Article 321

Please select the adjustment type that best describes the building:

Financial Constraint

Inclusion on the Department of Finance's New York City Tax Lien Sale List

- Select the adjustment type: **Financial Constraint**:
- Click "**Choose file**" and upload the following supporting documentation:
 - The completed financial constraint metric template prepared by a Certified Public Accountant, and
 - [LL97 Financial Constraints Metric Templates Coops and Condos](#)
 - [LL97 Financial Constraints Metric Templates Nonprofits](#)
 - [LL97 Financial Constraints Metric Templates Market Rate](#)
 - [LL97 Financial Constraints Metric Templates Affordable Housing and/or No Debt](#)
 - The completed 320.7 Adjustment Process Attestation (APA) Form signed by the NYC Accelerator.
 - The completed [320.7 Adjustment CPA Attestation Form](#)

Is your building subject to Article 320 or Article 321?

Article 321

Please select the adjustment type that best describes the building:

Financial Constraint

Please submit supporting documentation.

Choose File

No file chosen

- Select the adjustment type: **Financial Constraint:**
- Click "**Choose file**" and upload proof the building is on the Department of Finance's annual New York City Tax Lien Sale List.

Is your building subject to Article 320 or Article 321?

Article 321

Please select the adjustment type that best describes the building:

Inclusion on the Department of Finance's New York City Tax Lien Sale List

Please submit supporting documentation.

No file chosen

Please submit proof the building is on the Department of Finance's annual New York City Tax Lien Sale List.

LL97 Application for §320.7 Adjustment



- Enter DOB Now **Payment Confirmation Number**
- Click **Submit Ticket** to submit your LL97 Application for §320.7 Adjustment Report

Please enter DOB NOW Payment Confirmation Number.*

This is a required field. [DOB NOW User Guide](#).

Submit Ticket