

## SERVICE UPDATE

### Benchmarking Reports: Violations for Non-compliance

Building owners required to perform annual analyses of their property's total energy use must submit Benchmarking reports by May 1, 2015, as outlined in the [NYC Administrative Code § 28-309.4](#). Failure to submit a Benchmarking report will result in a penalty of \$500. Continued failure to report required energy usage will result in additional violations on a quarterly basis and additional penalties of \$500 per violation.

Buildings that meet any of the following characteristics must submit Benchmarking reports:

- Buildings greater than 50,000 gross square feet; *or*
- A tax lot that contains two or more buildings that, together, exceed 100,000 gross square feet; *or*
- Two or more buildings held in a condominium form of ownership that, together, are larger than 100,000 gross square feet.

### Challenging Violations

If you believe a violation was issued in error, you may submit a [Benchmarking Violation Challenge Form](#). This form must be mailed to the Department within 30 days of the violation's postmark. Email it to [Sustainability@buildings.nyc.gov](mailto:Sustainability@buildings.nyc.gov) or mail it to the NYC Department of Buildings, Sustainability Enforcement Unit, 280 Broadway 7<sup>th</sup> floor, New York, NY 10007.

**Please note: eligible properties are determined solely by records obtained from the NYC Department of Finance.** Property owners who believe they have received a violation in error because their building does not meet the criteria for Benchmarking should email [Benchmarking@finance.nyc.gov](mailto:Benchmarking@finance.nyc.gov). Please include: the building(s) borough, block and lot numbers; reason for dispute with the correct square footage; and a contact name/ telephone number.

### Resolving Violations

Pay the penalty for failure to file the Benchmarking Report by either **certified (bank) check** or **money order** payable to "NYC Department of Buildings" for the penalty amount stated, as per Title 1 of the [Rules of the City of New York §103-06\(l\)](#). Mail your payment to the NYC Department of Buildings, Sustainability Enforcement Unit, 280 Broadway 7<sup>th</sup> floor, New York, NY 10007. Please include a copy of the violation.

For information regarding the Benchmarking requirement, including how to submit your report, you may review material at <http://www.nyc.gov/html/gbee/html/plan/l184.shtml>.