

DOB NOW: *Build*

Determinations and Appeals
Fall 2023 Release

Updated February 2024

- Overview of Determinations and Appeals
- Pre-Determination
- Second Review of Objection
- Objection Level Determination
- Job Filing Level Determination
- Appeal of Determination/Pre-Determination
- Document Requests for Board of Standards and Appeals
- External Agency Request

BEST PRACTICES FOR THE VIRTUAL CLASSROOM

DOB
NOW



Chat Feature



Mute Microphones



Ask Questions



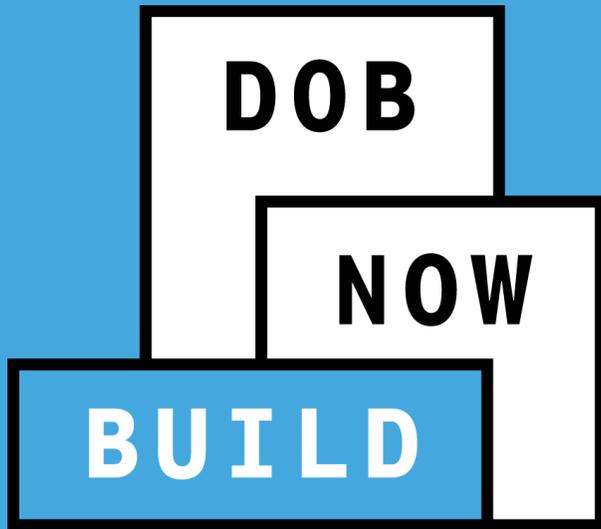
Parking Lot



Feedback



Participate

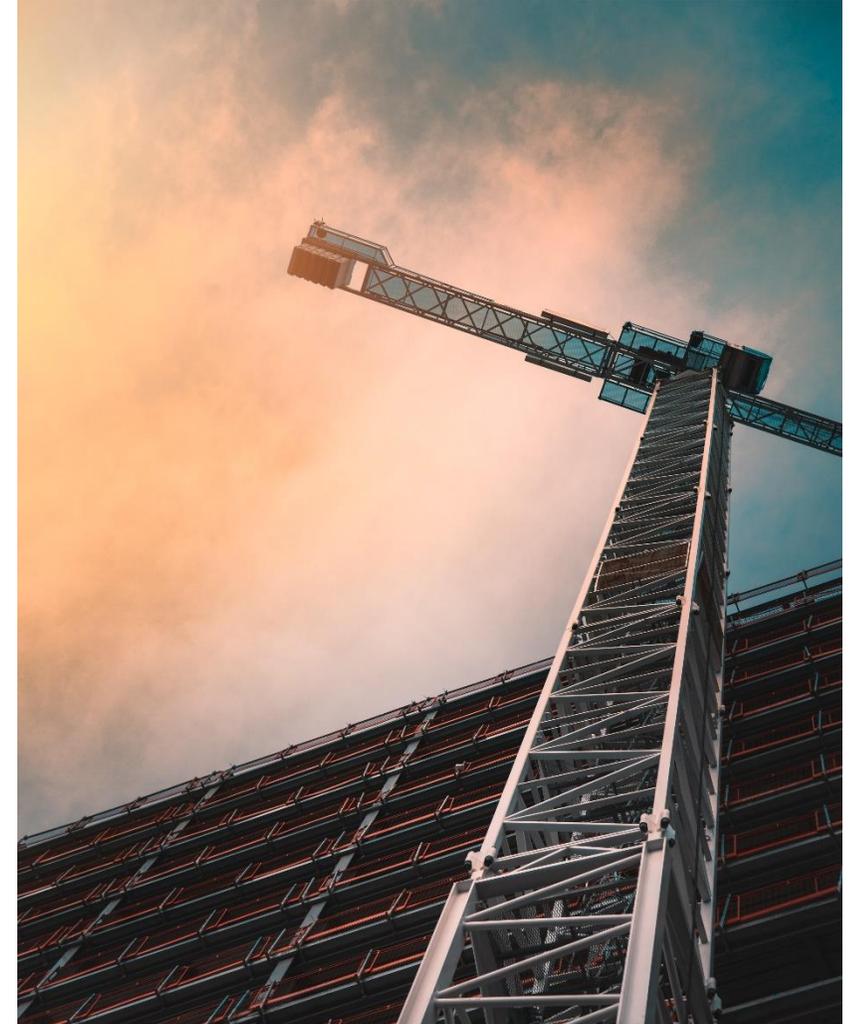


DOB NOW: *Build* – DETERMINATIONS & APPEALS

Overview

REVIEW LEVELS:

- **FIRST PLAN EXAMINATION REVIEW (“LEVEL 0”):** Objection(s) issued during the plan review process.
- **SECOND REVIEW OF OBJECTION (“LEVEL 1”):** Request for review of objection(s) by the Assistant Chief Plan Examiner (ACPE) or the unit supervisor (for elevators). There is no fee for this review.





REVIEW LEVELS (continued):

- **BOROUGH COMMISSIONER REVIEW (“LEVEL 2A”) – FOR DETERMINATION OF AN OBJECTION:** Appeal to the Borough Commissioner (BC) after objection has been affirmed during second plan examination review.
- The Deputy Borough Commissioner (DBC), Code and Zoning Specialist (CZS) and/or unit specific subject matter experts (SMEs) will assist the BC during this review.
- The fee for this review is **\$1,000**.

REVIEW LEVELS (continued):

- **BOROUGH COMMISSIONER REVIEW (“LEVEL 2A”) – FOR DETERMINATION RELATED TO A JOB FILING OR PRE-DETERMINATION:** Request for an interpretation of the Construction Codes, Zoning Resolution, or 1968 or prior Building Code, or a variation of the Construction Codes, the 1968 or prior Building Code, or § 277.16 of Multiple Dwelling Law for Article 7B buildings.
- The BC will review the request with assistance from the DBC, CZS and/or unit specific SMEs.
- The fee for this review is **\$1,000**. **Fee does not apply** for nonprofit organizations, government owners, HPD Affordable Housing, or for 1, 2, or 3 family homes.



OTHER REVIEW LEVELS:

- **OBJECTION SHEET FOR BOARD OF STANDARDS AND APPEALS (BSA) (“LEVEL 2B”)**: Request for BC to stamp objection(s) for submission to BSA for BSA review of the objection(s). This request can be submitted any time after objection is issued (Level 0). *There is no fee for this request.*
- **TECHNICAL AFFAIRS APPEAL (“LEVEL 3”)**: Appeal from the denial of the Level 2A request. DOB’s Technical Affairs Bureau (TA) will review this appeal. *The fee for this appeal is \$2,500. Fee does not apply for* nonprofit organizations, government owners, HPD Affordable Housing, or for 1, 2, or 3 family homes.
- **FIRST DEPUTY COMMISSIONER (FDC) APPEAL (“LEVEL 4A”)**: Appeal from the Technical Affairs Appeal. New arguments or additional information must be presented to support this appeal. The FDC and TA will review this appeal. *The fee for this appeal is \$2,500. Fee does not apply for* nonprofit organizations, government owners, HPD Affordable Housing, or for 1, 2, or 3 family homes.
- **FINAL DEPARTMENT DETERMINATION (“LEVEL 4B”)**: Request for final determination or appeal for submission to BSA. No new arguments or additional information. *There is no fee for this request.*
- **LEVEL 5: BSA REVIEW**: This review is outside of DOB NOW.

- **Objection Level Determination** Request for an escalation after two reviews of an objection issued during plan examination, including an objection issued during review of a crane, elevator, energy, or site safety filing. Objection Level Determination can be submitted only after a second review of the objection has been completed and the objection has been upheld.
- **Job Filing Level Determination** Request *related to a job filing* for a variation of the Construction Codes, the 1968 or prior Building Code, or Section 277.16 of the New York State Multiple Dwelling Law (MDL) for Article 7B buildings
- **Pre-Determination** Request related to a specific property with respect to the Construction Codes, 1968 or prior Building Code, or the Zoning Resolution. It is submitted before a job filing has been submitted.

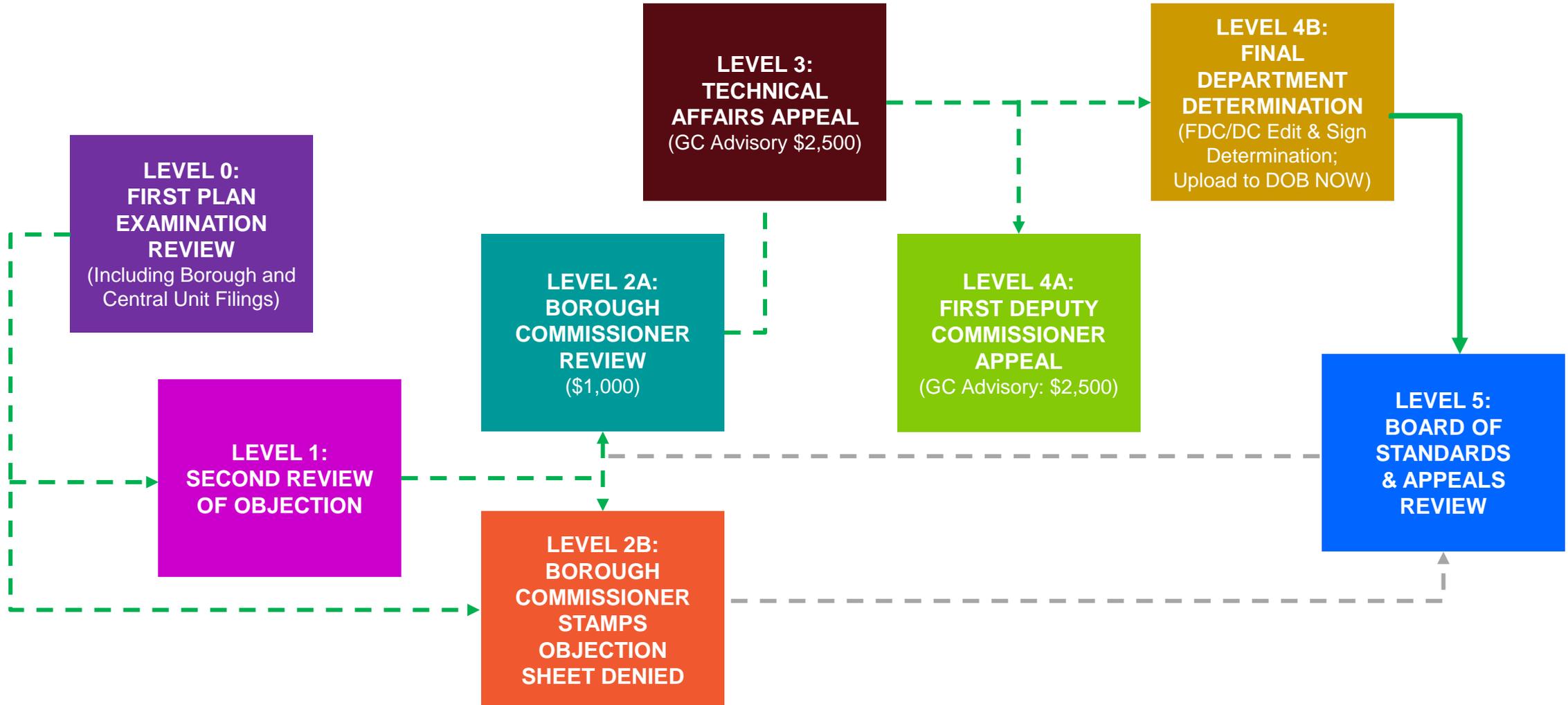


An **Appeal** is a request for review of any of these above types of Determinations that may be submitted if the Determination result is Denied or Approved with Conditions.

- Previously, Determination or Appeal requests were submitted via email using either:
 - **CCD1 Construction Code Determination Form**
 - **ZRD1 Zoning Resolution Determination Form**
- Starting **October 30, 2023**, new Determination or Appeal requests will be submitted through DOB NOW: *Build* for **both BIS and DOB NOW jobs**.
- The new Determinations & Appeals process in DOB NOW: *Build* will be a one-stop shop for submitting and receiving answers to Determination or Appeal Requests.
- Any CCD1s or ZRD1s that have already been filed and are currently under review will remain in the existing email/paper process.
- Any Appeals that are currently under review will remain in the existing process.

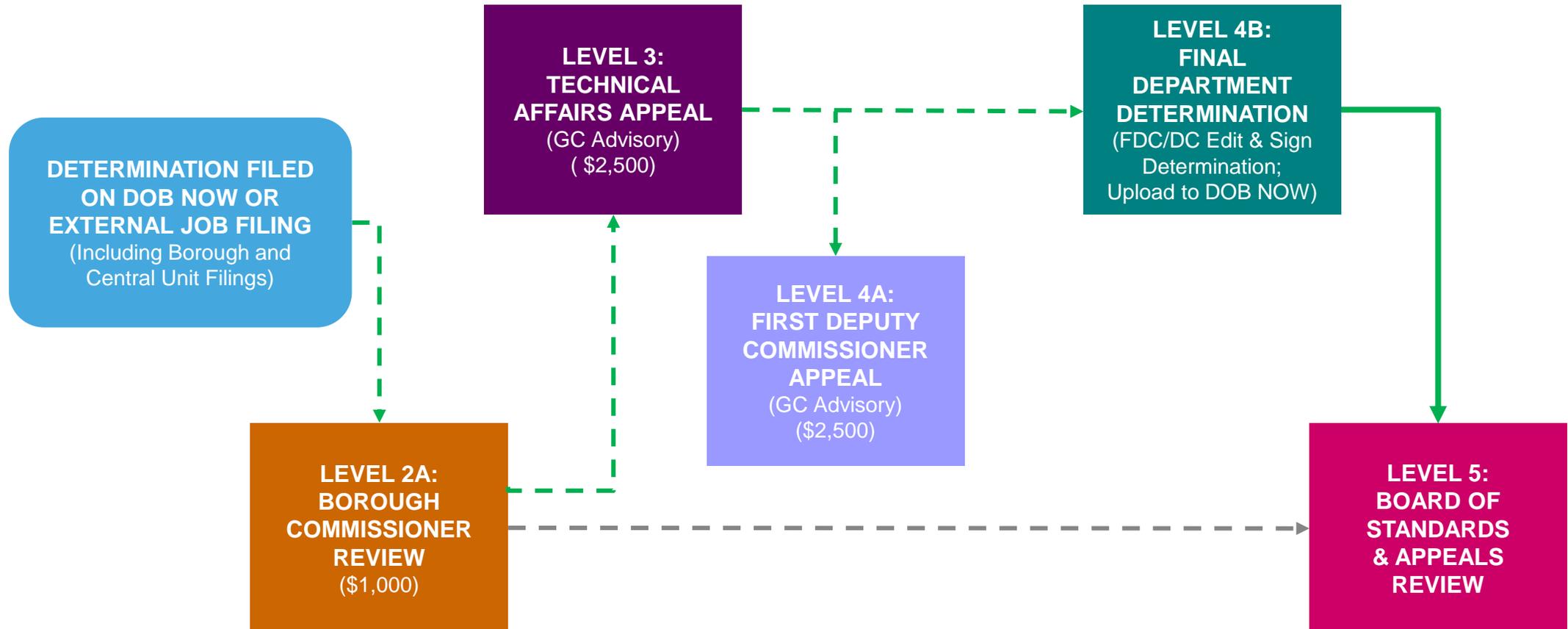
OBJECTION LEVEL DETERMINATION

DOB
NOW



JOB FILING LEVEL DETERMINATION

DOB
NOW



TYPE OF REQUEST/DETERMINATION/APPEAL	WHO CAN SUBMIT
Objection Level	<ul style="list-style-type: none">▪ Job Filing Applicant of Record (Professional Engineer or Registered Architect)
Job Filing Level	<ul style="list-style-type: none">▪ Job Filing Applicant of Record (Professional Engineer or Registered Architect)
Pre-Determination	<ul style="list-style-type: none">▪ Any Licensee or an Attorney
External Agency Determination	<ul style="list-style-type: none">▪ Anyone with an e-filing account

DOB NOW: *Build* – DETERMINATIONS & APPEALS: WHEN CAN THE REQUEST BE SUBMITTED



TYPE OF REQUEST/ DETERMINATION/ APPEAL	JOB STATUS
Second Review of Objection / Objection Level	<ul style="list-style-type: none">Job Filing must be in Objections status for DOB NOW Jobs. BIS jobs must be in H (Plan Exam in Process), J (Plan Exam Disapproved), or K (Plan Exam Partial Approval) status.
Job Filing Level	<ul style="list-style-type: none">DOB NOW and BIS Job Filings cannot be LOC Issued, CO Issued or On Hold.
Pre-Determination	<ul style="list-style-type: none">Job Filing can be created and saved (Pre-Filing) but not submitted to DOB.

DOB NOW: *Build* – DETERMINATIONS & APPEALS: WHICH JOBS QUALIFY?



Scope: PW1	Determination Type			Request Type	
	Objection Level Determination	Job Filing Level Determination	Pre-Determination	2 nd Review of Objection	BSA
Boilers	Yes	Yes	No	Yes	Yes
Elevators	Yes	Yes	No	Yes	Yes
Energy	Yes	No	No	Yes	Yes
Site Safety	Yes	No	No	Yes	Yes
Other PW1	Yes	Yes	Yes	Yes	Yes

DOB NOW: *Build* – DETERMINATIONS & APPEALS: WHICH JOBS QUALIFY?



Scope	Determination Type			Request Type	
	Objection Level	Job Filing Level	Pre-Determination	2 nd Review of Objection	BSA
Full Demolition	Yes	Yes	Yes	Yes	Yes
Crane Device (CD)	No	No	No	Yes	Yes
Crane Notification (CN)	Yes	Yes	Yes	Yes	Yes
Crane Prototype (CP)	No	No	No	Yes	Yes

DOB NOW: *Build* – DETERMINATIONS & APPEALS: FEES



ACTION	FEE
▪ Plan Exam Review	▪ Job Filing Fee
▪ Second Review of Objection	▪ No Additional Fee
▪ Pre-Determination or Determination	▪ \$1,000
▪ Appeal of Determination	▪ \$2,500
▪ Second Appeal of Determination	▪ \$2,500
▪ Board of Standards and Appeals	▪ No Fee

Note: Fees do not apply to nonprofit organizations, government owners, HPD Affordable Housing, or for 1, 2, or 3 family houses.

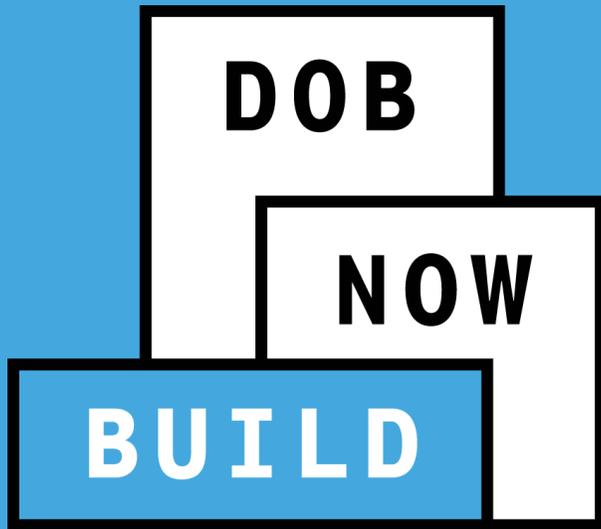
- Only one Determination or Appeal request can be filed at a time.
- All Determination / Appeal requests may go through **different levels of review**.
- Users will have to identify which review type they wish to submit. **Some levels require previous review types**. For example, Appeal of (Pre-)Determination can only be submitted after a Determination or Pre-Determination request has been submitted and review is complete with a Denied or Approved with Conditions decision.
- Once a decision has been made on a request, the results will be visible on the **Determinations & Appeals dashboard and in the request**.
- Associated users will also receive an email with the results of the request.
- The decision document can be printed from within the Determination or Appeal request.
- Three outcomes are possible: **Approved**, **Approved with Conditions**, or **Denied**.

- **General Information/Location Information** will be system populated based on the BIN number entered or the Borough, Block, Lot entered in the beginning screens.
- In **Stakeholders** section, Alternate Contact Information was referred to as “Attendee Information” section on the CCD1 and ZRD1 forms.
- DOB NOW introduces the concept of **Determination Class** where users can select Construction Codes Determination or Zoning Determination.
- On a **Construction Code Determination**, the Determination Subclass section in DOB NOW corresponds to the “Description of Request” section on the CCD1 form.
- In DOB NOW, the **Request Details** section corresponds to the “Description of Request” section on the CCD1 and ZRD1 forms.

DOB NOW: *Build* – DETERMINATIONS & APPEALS NUMBERING



	OBJECTION LEVEL REQUESTS	JOB LEVEL DETERMINATION	PRE-DETERMINATION	EXTERNAL AGENCY DETERMINATION	BSA REVIEW ONLY
SECOND REVIEW OF OBJECTION (SECOND PLAN REVIEW)	SECPE00000001	--	--	--	--
BSA: Objection Sheet or BSA: PRE-DETERMINATION	SECPE00000001-BSA	DA00000001-BSA	--	--	BSA00000001
DETERMINATION	SECPE00000001-D1	DA00000001	PDA00000001	EX00000001	--
APPEAL OF DETERMINATION	SECPE00000001-A1	DA00000001-A1	PDA00000001-A1	EX00000001-A1	--
SECOND APPEAL OF DETERMINATION	SECPE00000001-A2	DA00000001-A2	PDA00000001-A2	EX00000001-A2	--
BSA: DETERMINATION	SECPE00000001-BSA	DA00000001-BSA	PDA00000001-BSA	EX00000001-BSA	--



DOB NOW: *Build* – DETERMINATIONS & APPEALS

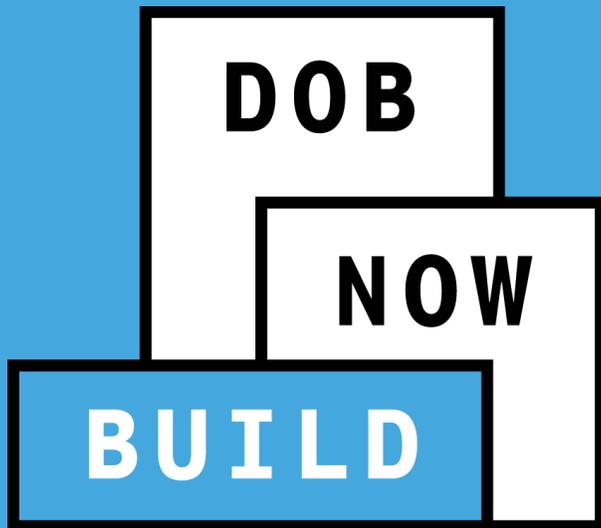
Pre-Determination/Determination

- A **Pre-Determination** is a request related to a specific property with respect to Construction Codes, Zoning Resolution, or 1968 or prior Building Code before a Job is filed or while a Job is in Pre-Filing.

- For **Objection Level Determination**, the Applicant seeks a review by the Borough Commissioner/Deputy Borough Commissioner of an Objection issued by a plan examiner.
- This level cannot be initiated until the Second Review of Objection is complete and the Objection has been upheld.
- No action can be taken on the Job Filing until the Objection Level Determination review is complete.
- Determination requests which are **Denied** or **Approved with Conditions** may be **Appealed**
- If the Determination (or Appeal) overturns the Objection, the Applicant must link the Determination Request with the Objection before they can mark the Objection resolved and resubmit the Job Filing.

- A **Job Level Determination** is a request related to a Job Filing for a variation of the Construction Codes, 1968 or prior Building Code, or section 277.16 of the New York State Multiple Dwelling Law (MDL) for Article 7B buildings.
- These **Job Level Determination** requests may be filed **after a job has been created but before the Certificate of Occupancy or Letter of Completion has been issued.**

- **External Agency Determination** is a determination request related to a job that was filed with FDNY, NYC Small Business Services, or the School Construction Authority.
- Since no DOB job is filed, the review process is identical to the Pre-Determination process.



DOB NOW: *Build* – DETERMINATIONS & APPEALS

Pre-Determination Requests

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A PRE-DETERMINATION

- To file a Pre-Determination, click the **+Determinations** button and then click on **Pre-Determination**.

The screenshot shows the DOB NOW web application interface. At the top, there is a navigation bar with several buttons: '+ Major Projects Development Program Enrollment/Project', '+ Job Filing', '+ Permits', '+ Requests', '+ Notifications', '+ Occupancy', '+ Landmark Fee Payment', '+ Determinations', and 'Search'. The '+ Determinations' button is highlighted with a red box, and a dropdown menu is open, showing 'Pre-Determination' as the selected option. Below the menu, the 'Determinations & Appeals' section is visible, containing a table of active determinations.

View...	Filing Action	Request Number	Determination Type	Determination Class	Review Type	Request Status	Dete
	Select Action: ▼	SECPE00005647-BSA1	Appeal	CCD1	First Deputy/Deputy Commissio...	Pre-Filing	Objec
	Select Action: ▼	PDA00007991	Pre-Determination	CCD1	Pre-Determination	Review Complete - Approved With Con...	BIN
	Select Action: ▼	DA00007815	Determination	ZRD1	Determination	Review In Progress	Job F

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A PRE-DETERMINATION

- Select **Pre-Determination**.
- Search for the location by either the **Borough, Block, Lot** or by the **BIN**.
- If the Borough, Block, and Lot are entered, you will also need to select the BIN.
- Fill in the required information and click **Search**.

New Pre-Determination Request

Select Determination Type:*

Pre-Determination External Agency Board of Standards and Appeals GCL35/36 Pre-Determination

Select Search Type:*

BIN Borough, Block, Lot

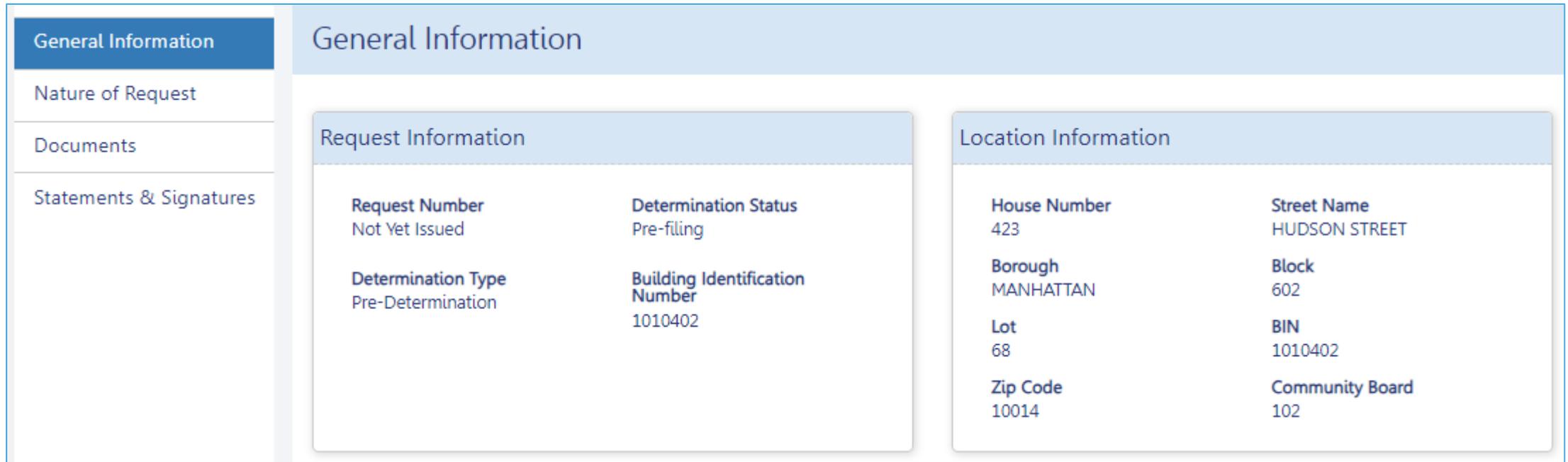
Borough, Block, Lot

Borough Block Lot (optional)

Select Borough Enter Block Enter Lot

Search Cancel

- In the **General Information** tab, the **Request Information** and **Location Information** will be pre-filled.



The screenshot displays the 'General Information' tab in the DOB NOW system. The interface is divided into a left sidebar and a main content area. The sidebar contains four menu items: 'General Information' (highlighted), 'Nature of Request', 'Documents', and 'Statements & Signatures'. The main content area is titled 'General Information' and contains two panels: 'Request Information' and 'Location Information'.

Request Information	
Request Number Not Yet Issued	Determination Status Pre-filing
Determination Type Pre-Determination	Building Identification Number 1010402

Location Information	
House Number 423	Street Name HUDSON STREET
Borough MANHATTAN	Block 602
Lot 68	BIN 1010402
Zip Code 10014	Community Board 102

- Enter **Applicant Information**.
- If desired, an Additional Contact may be entered.

Stakeholders*

Applicant Information

Email*	License Type*	License Number*
<input type="text" value="Please enter email address"/>	<input type="text" value="Select:"/>	<input type="text"/>
First Name*	Middle Initial	Last Name*
<input type="text"/>	<input type="text"/>	<input type="text"/>
Business Name*	Business Telephone*	Business Address*
<input type="text" value="Select:"/>	<input type="text"/>	<input type="text"/>
City*	State*	Zip Code*
<input type="text"/>	<input type="text"/>	<input type="text"/>
Mobile Telephone*	DOB PENS ID#*	
<input type="text"/>	<input type="text"/>	

Determination Details ▼

Is this Pre-Determination associated to an existing Project?* Yes No

Do you plan/intend to file your construction at the HUB?* 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

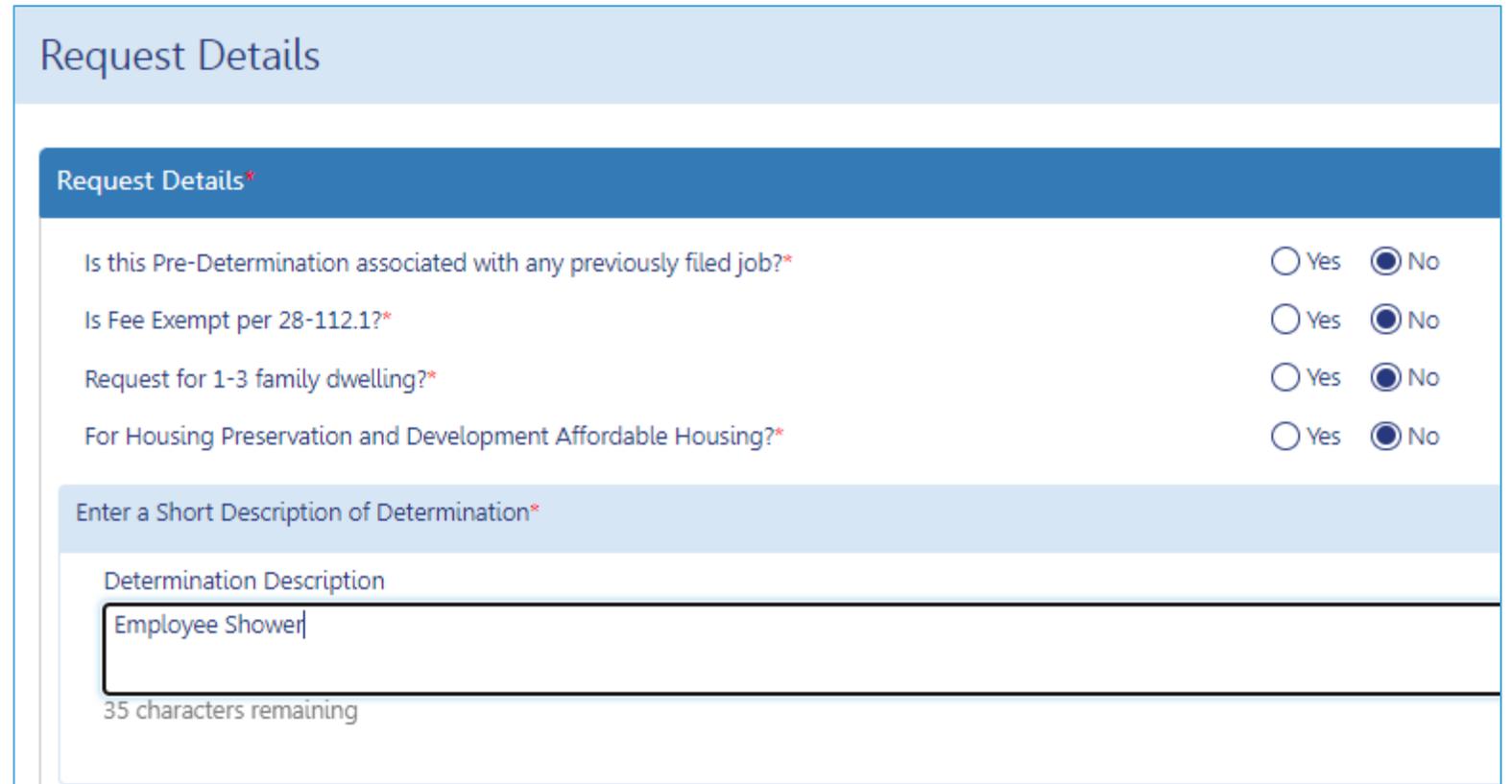
- Answer all questions asked.
- Identify the **Determination Class**.
- Choose the appropriate **Determination Sub Class**.

- Enter the **Description of Request** into the text box.

Description of Request 

We respectfully request permission to accept the installation of single-use showers located within private offices on the 4th floor occupied by business use. As per the final CofO #XXXXXX, the existing building at ADDRESS is a Class 1 Commercial high-rise building fully protected with sprinkler system and fire alarm system. The building is in the MI-5 manufacturing zoning district referenced in TPPN #1/06. The use conditions are as follows: The number of shower rooms is based on tenant program needs and not subject to 2022 NYC PC Table 403.1 for minimum requirements for B use. Entry access to both shower rooms are accessed only through private office(s) and not accessible for common or public use and intended for use by a single occupant of such private offices. The showers are accessory to single tenant 4th floor office and will not serve a program for the purpose of a living space. The proposed showers will meet compliance with Chapter 11 Accessibility BC 1109.2 Toilet and Bathing Rooms exception 1a through 1d. The owner or tenant will provide an affidavit committing to remove the showers upon vacating the space and affidavit will be submitted and included in the application documents prior to approval.

- Answer the questions in the **Request Details** tab.
- If the answer to the “Is this Pre-Determination associated with any previously filed job?” is **Yes**, then the Job Number must be entered.
- The **Determination Description** corresponds to “Enter short description of technical topic” on the CCD1/ZRD1.



The screenshot shows a web form titled "Request Details". It contains four radio button questions:

- Is this Pre-Determination associated with any previously filed job?* (No selected)
- Is Fee Exempt per 28-112.1?*
- Request for 1-3 family dwelling?*
- For Housing Preservation and Development Affordable Housing?*

Below these questions is a section titled "Enter a Short Description of Determination*". It contains a text input field labeled "Determination Description" with the text "Employee Shower" entered. Below the input field, it says "35 characters remaining".

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A PRE-DETERMINATION



Construction Code Year <input type="text" value="Select Code Year:"/>	Code Section ⓘ <input type="text"/>	MDL Section (Multiple Dwelling Law) <input type="text" value="MDL-xx format"/>
Rule Number <input type="text" value="1RCNY xxxx-xxxx format"/> ev	TPPN, Memo ⓘ <input type="text"/>	BBs (Building Bulletins) <input type="text" value="BB Year-xx format"/>
Zoning Resolution Section <input type="text" value="xx-xxx format"/>		
Zoning Information		
Zoning District(s) <input type="text" value="Select"/>	Zoning Overlay(s) <input type="text" value="Select"/>	Special District(s) <input type="text" value="Select"/>

- Enter details for relevant **Construction Code** and/or **Zoning Information**.

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A PRE-DETERMINATION

- On the **Documents** tab, click **+Add Document** to open the Upload Document window.
- Enter a **Document Name** and select a **Document Type**.
Navigate to the document on your computer and open.
Then click **Upload** to add the document to your request.
- If the building is **HPD Affordable Housing** or **Fee Exempt**, Applicants must provide supporting documentation.

The screenshot shows a web interface for a request with ID PDA00006543. On the left, there is a vertical menu with tabs: 'General Information', 'Request Details', 'Documents' (which is selected and highlighted in blue), and 'Statements & Signatures'. On the right, there is a 'Documents' section with a '+ Add Document' button highlighted by a red rectangle. Below this button is an 'Actions' section.

The 'Upload Document' window has a blue header. It contains a 'Document Name*' text input field. Below it is a 'Document Type*' dropdown menu. The dropdown is open, showing a list of options: 'Select:', 'Additional Supporting Document', 'Affordable Housing Supporting Documentation', 'Fee Exempt Supporting Document - DOF Property Tax Assessment Roll', 'MOPD Recommendation', and 'Plans/Sketch'. At the bottom right of the window are two buttons: 'Upload' and 'Cancel'.

- On the **Statements and Signatures** tab the Applicant of Record will be required to click the checkbox to attest.
- **Pay** any required fee.
- Click the **Submit** button.

The screenshot shows a web application interface for filing a pre-determination. At the top, there are 'Save' and 'Submit' buttons, with 'Submit' highlighted by a red box. The main content area is titled 'Statements & Signatures' and features a sidebar with navigation options: 'General Information', 'Request Details', 'Documents', and 'Statements & Signatures' (which is selected). The 'Applicant of Record's Attestation' section contains a red-bordered checkbox, a text area with a disclaimer, and input fields for 'Name*' and 'Date*'.

Save Submit

PDA00006543

General Information

Request Details

Documents

Statements & Signatures

Statements & Signatures

Applicant of Record's Attestation*

I hereby state the information on this form is correct and complete to the best of my knowledge. I understand falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. I also understand it is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both. I understand that if I am found after hearing to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this code or of a rule of any agency, I may be barred from filing further applications or documents with the Department.

Name*

Date*

- Using the toolbar at the top of the page, navigate to the last page.



DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A PRE-DETERMINATION

Click the check-box to attest and then click the **File** button to complete the application.

I understand and agree that by personally clicking on the box at left I am electronically signing this application and expressing my agreement with all of its terms. I understand that this electronic signature shall have the same validity and effect as a signature affixed by hand.

Name Date
(Electronically Signed)

File Return to Filing View

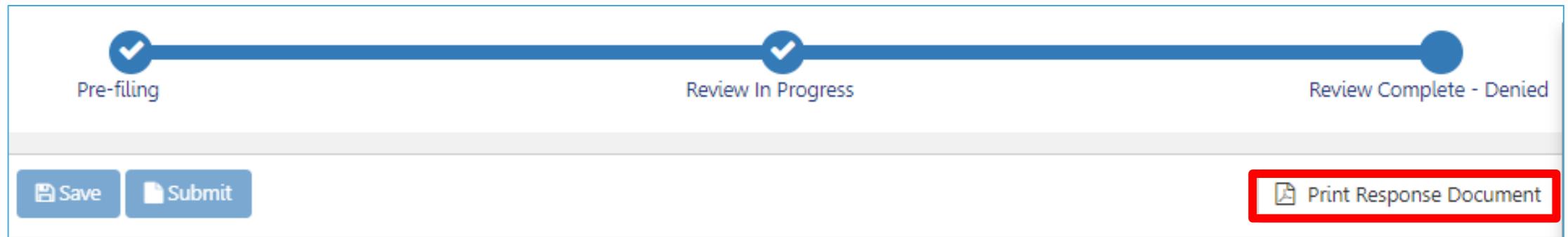
Click **OK** to the Notification window.

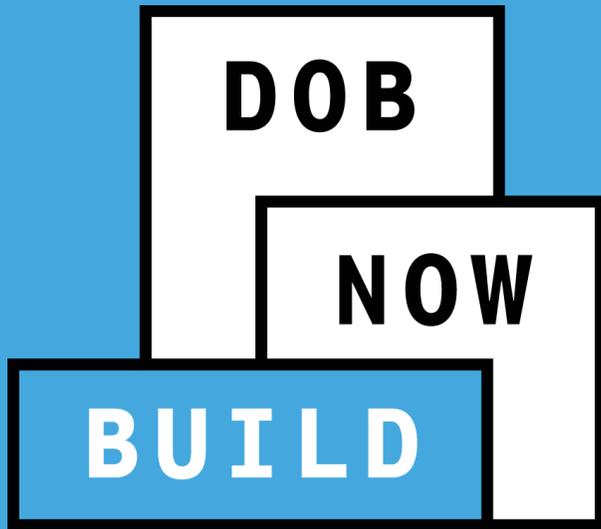
Notification

Determination Request has been submitted.

OK

- For Pre-Determination, the results of the Determination or Appeal request can be viewed on the **Determinations & Appeals dashboard**.
- The **Determination Document** can be printed or downloaded from within the Pre-Determination Request.
- Response options:
 - **Approved**
 - **Approved with Conditions**
 - **Denied**



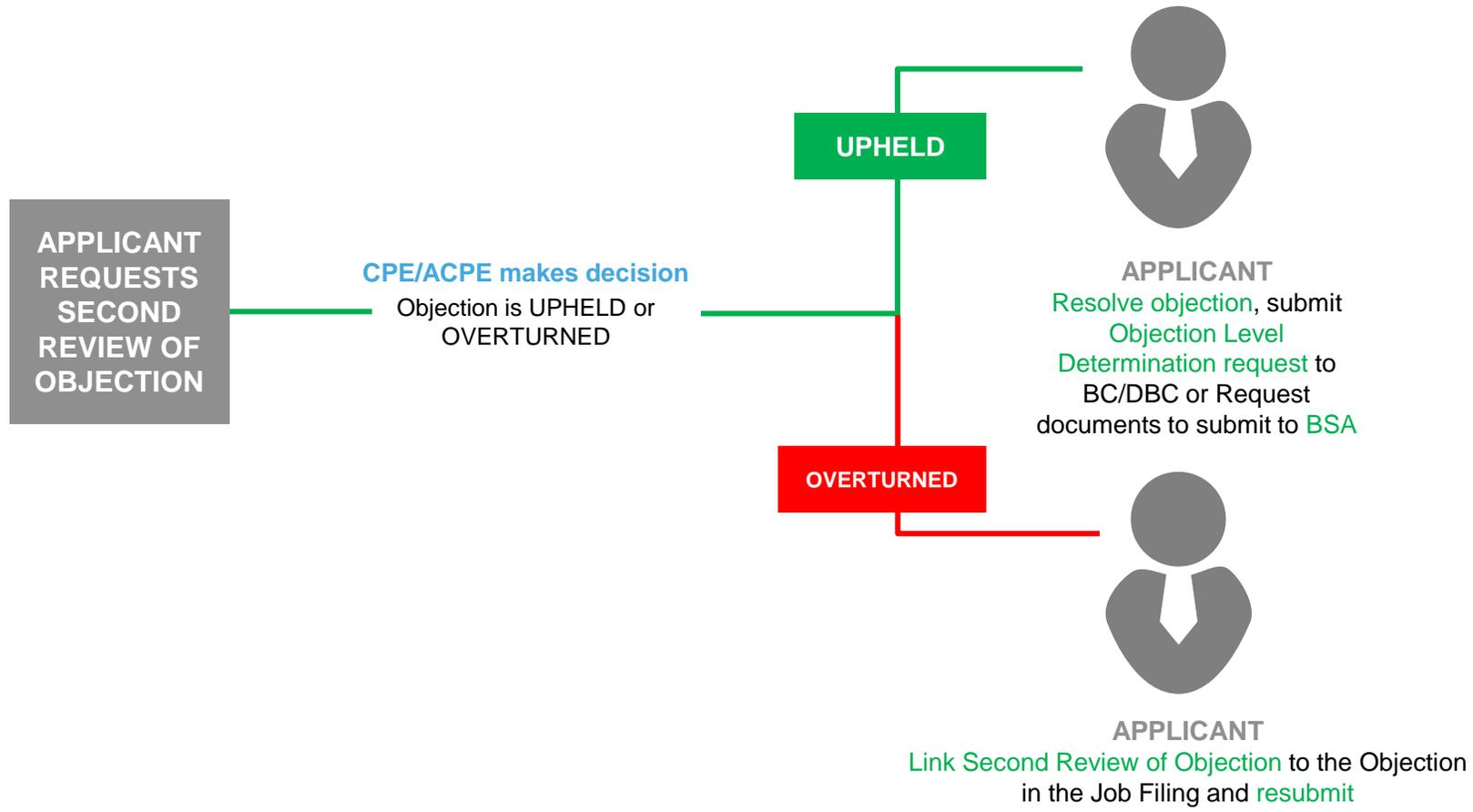


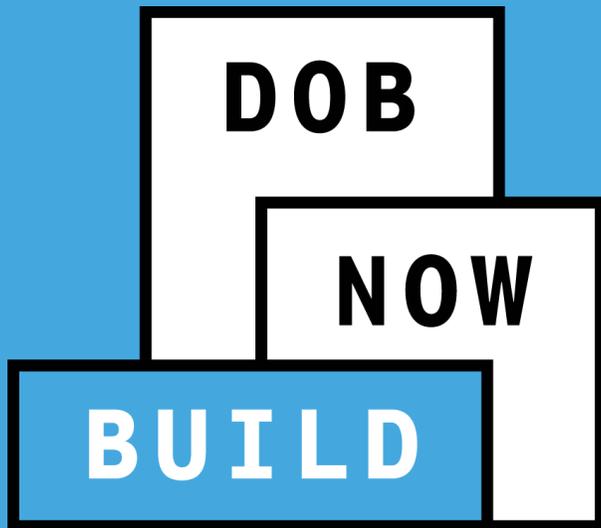
DOB NOW: *Build* – SECOND REVIEW OF OBJECTION

- **Second Review of Objection**

- If the Applicant disagrees with an Objection issued during the Plan Review process, they may seek a **second review of the objection by the Assistant Chief Plan Examiner (ACPE)/Chief Plan Examiner (CPE) or the unit supervisor (for elevators).**
- For objections issued in DOB NOW or in BIS, Applicants select **Second Review of Objection.**

DOB NOW: *Build* – SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS





DOB NOW: *Build* – DETERMINATIONS & APPEALS

Second Review of Objection Requests for DOB NOW jobs

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS



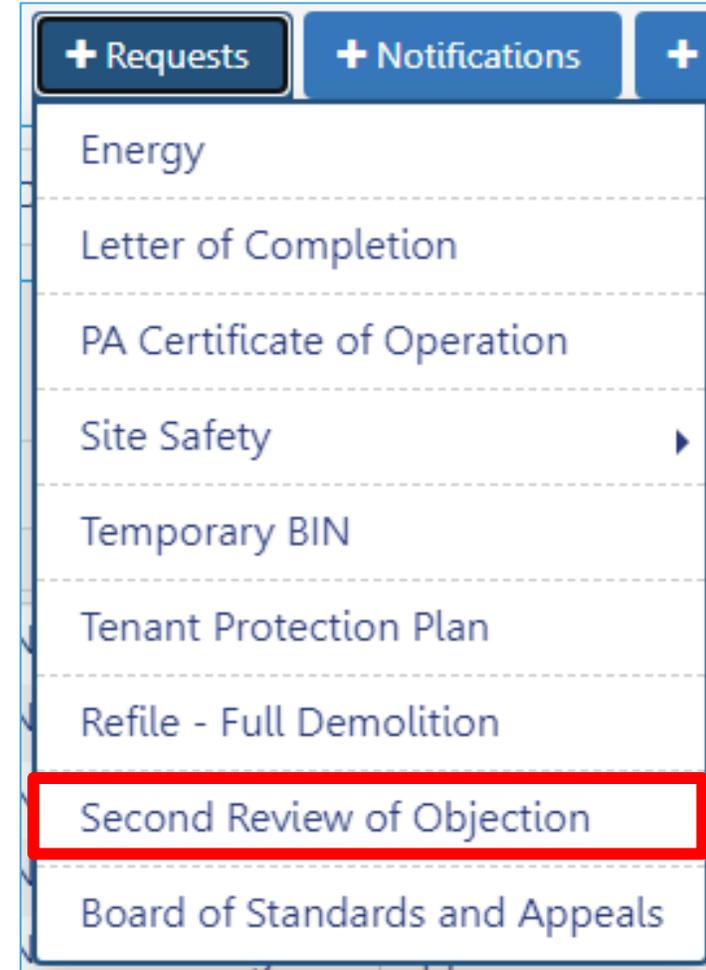
- If an Applicant disagrees with an Objection that has been issued against their Job Filing, they may request a **Second Review of Objection** from the Chief Plan Examiner.
- From any Dashboard page click the **+Requests** button to begin.

The screenshot shows the DOB NOW dashboard interface. At the top left is the DOB NOW logo. The main header contains the text "DOB NOW NYC Department of Buildings Self-service for online Permits, Appointments and Applications". On the right side of the header, there is a welcome message: "Welcome, BUILD020 BUILD020 BUILD020@BUILDINGS.NYC.GOV" and links for "Need Help?" and "Sign Out". Below the header is a navigation bar with several buttons: "+ Major Projects Development Program Enrollment/Project", "+ Job Filing", "+ Permits", "+ Requests" (highlighted with a red box), "+ Notifications", "+ Occupancy", "+ Landmark Fee Payment", "+ Determinations", and "Search". Below the navigation bar is a section for "Job Filings" with filters for "All Jobs 2", "Alteration 0", "Alteration CO 0", "ALT-CO - New Building with Existing Elements to Remain 0", "New Building 1", "No Work 0", and "Full Demolition 1". There is also a "Filter My Jobs" dropdown and buttons for "In Progress", "Completed", and "Refresh". The main content area is a table with columns: View..., Filing Action, Job#, Filing#, Job Type, Filing Type, Filing Status, Modified Date, WorkType(s) ..., Address, Borough, Work on floor(s), and a menu icon. The table contains two rows of data:

View...	Filing Action	Job#	Filing#	Job Type	Filing Type	Filing Status	Modified Date	WorkType(s) ...	Address	Borough	Work on floor(s)	
	Select Action: ▼	Q00446321	I1	Full Demolition	New Job Filing	Objections	07/31/2023	FD	4301 QUEENS BOULEVA...	QUEENS		BUILD
	Select Action: ▼	Q00446303	I1	New Building	New Job Filing	Pending CPE/ACPE Assignment	07/31/2023	GC	4301 QUEENS BOULEVA...	QUEENS	Floor Number(s) 1	BUILD

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

- Select **Second Review of Objection**.



DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

Second Review of Objection

Objection Related To:*

Architectural Plans	Energy	Site Safety Plan/Waiver
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Proceed Cancel

- In the pop-up, choose appropriate choice for **Objection Related To:**
 - Architectural Plans
 - Energy
 - Site Safety Plan/Waiver

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

Second Review of Objection

Objection Related To*

Architectural Plans	Energy	Site Safety Plan/Waiver
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For DOB NOW jobs, use format M00000001-I1. For BIS jobs, use format 123456789-01.

Proceed Cancel

- Enter **DOB NOW** or **BIS Job Number**.
- Click **Proceed**.

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS



- On the **General Information** tab, the **Request Information**, **Location Information**, and **Applicant** sections will be auto filled from the Job Filing.
- If desired, enter information for the **Alternate Contact** if not auto filled.

Alternate Contact Information

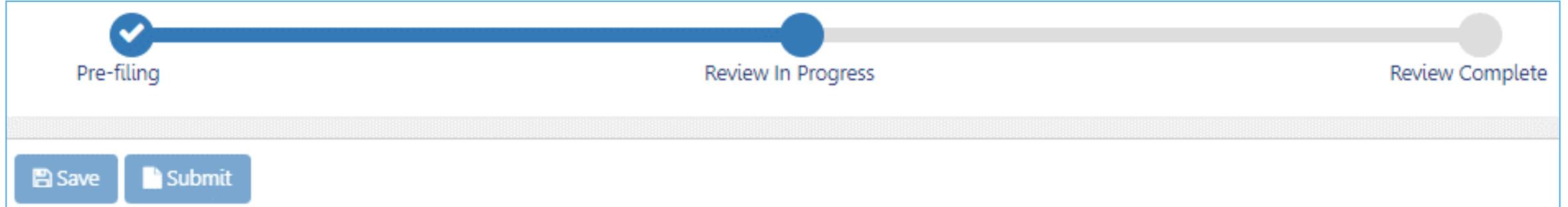
Email <input type="text" value="Please enter email address"/>	Relationship to the Property <input type="text" value="Select:"/>	First Name <input type="text"/>
Middle Initial <input type="text"/>	Last Name <input type="text"/>	Business Name <input type="text"/>
Business Telephone <input type="text"/>	Business Address <input type="text"/>	City <input type="text"/>
State <input type="text"/>	Zip Code <input type="text"/>	Mobile Telephone <input type="text"/>
License/Registration# <input type="text"/>		

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

The screenshot shows a web form with a blue header bar containing the text "Description of Request" and a downward-pointing chevron icon. Below the header is a large, empty white rectangular text input area. At the bottom left corner of this input area, the text "5000 characters remaining" is displayed.

- Also enter a text **Description of Request.**
- Click **Save.**

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS



- Upon clicking **Save**, the status bar will appear.

- In the **Request Details** section, the **Building Type** will be auto populated from the Job Filing and cannot be changed.
- Enter:
 - **A Short Description of Request**
 - **Code Section**

The screenshot shows a web form titled "Request Details" with a right-pointing arrow in the top right corner. The form contains three main sections:

- Building Type***: A dropdown menu with "Other" selected and a downward arrow on the right.
- Request Description**: A light blue header above a text input field. The input field contains the placeholder text "Enter a Short Description of Request*" and "150 characters remaining" below it.
- Code Section ⓘ**: A text input field with an information icon to its right.

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

- In the **Objection Details** section, click **+Add Objection(s)**.
- In the **Objection Detail(s)** pop-up, enter:
 - **Section of Code**
 - **Objection Description**
 - **Date Issued**
 - **Comments**

Objection Details*

+ Add Objection(s)

Section of Code	Objection Description
-----------------	-----------------------

Objection Detail(s)

Section of Code

Objection Description*

2000 characters remaining

Date Issued

Comments

250 characters remaining

Save Cancel

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

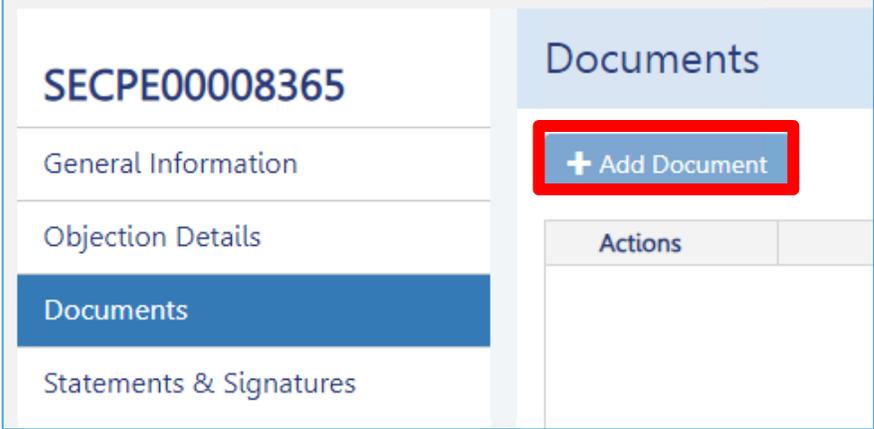


- Upon clicking **Save**, the Objection Details entered will appear below.
- Multiple Objections may be added for **BSA Review: Objection Sheet**, but only one Objection may be added for **Determinations** and **Appeals**.
- Objection Details can be changed by clicking the **Edit** button.

Objection Details*				
Objection Number	Section of Code	Objection Description	Date Issued	Action
1	2	Description	05/17/2023	 

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

- On the **Documents** tab, click **+Add Document** to open the Upload Document window.
- Enter a **Document Name** and select a **Document Type**.
Navigate to the document on your computer and open.
Then click **Upload** to add the document to your request.
- If the building is **HPD Affordable Housing** or **Fee Exempt**, Applicants must provide supporting documentation.



SECPE00008365

Documents

General Information

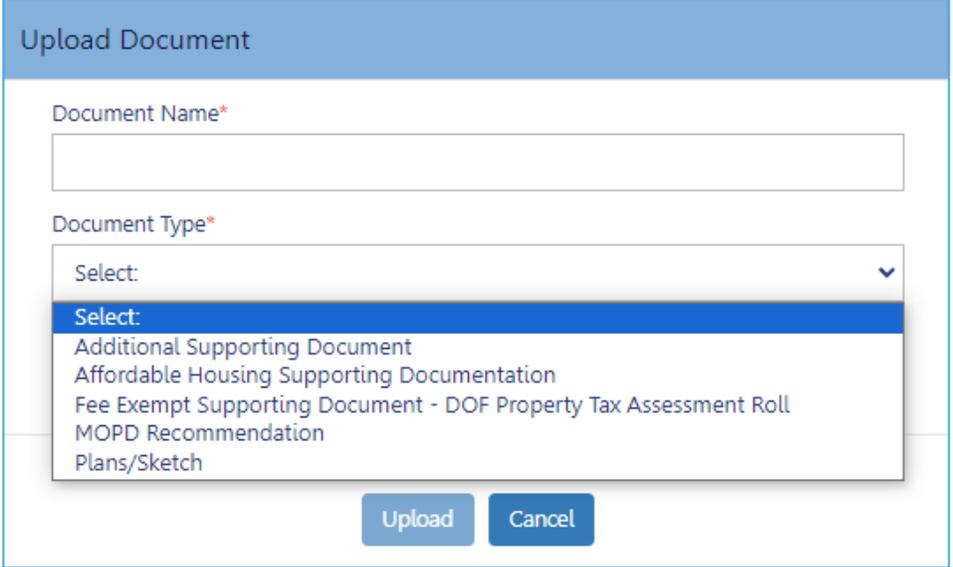
Objection Details

+ Add Document

Actions

Documents

Statements & Signatures



Upload Document

Document Name*

Document Type*

Select:

Select:

Additional Supporting Document

Affordable Housing Supporting Documentation

Fee Exempt Supporting Document - DOF Property Tax Assessment Roll

MOPD Recommendation

Plans/Sketch

Upload Cancel

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

DOB
NOW

- On the **Statements and Signatures** tab the Requestor will be required to click the checkbox to attest.
- Click the **Submit** button.

The screenshot displays a web interface for the DOB NOW system. At the top, there are two buttons: 'Save' and 'Submit'. The 'Submit' button is highlighted with a red rectangular box. Below the buttons, the main content area is titled 'Statements & Signatures'. On the left side, there is a navigation menu with the following items: 'SECPE00008365', 'General Information', 'Objection Details', 'Documents', and 'Statements & Signatures' (which is currently selected and highlighted in blue). The main content area on the right contains a section titled 'Applicant of Record's Attestation*'. Below this title, there is a checkbox, which is highlighted with a red rectangular box. To the right of the checkbox, there is a block of text: 'I hereby state the information on this form is co... fine or imprisonment, or both. I also understand properly performing the job or in exchange for knowingly or negligently made a false statement certification of the correction of a violation req... the Department.'

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

- Using the toolbar at the top of the page, navigate to the last page.



DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO REQUEST A SECOND REVIEW OF OBJECTION FOR DOB NOW JOBS

Click the check-box to attest and then click the **File** button to complete the application.

I understand and agree that by personally clicking on the box at left I am electronically signing this application and expressing my agreement with all of its terms. I understand that this electronic signature shall have the same validity and effect as a signature affixed by hand.

Name Date
(Electronically Signed)

File Return to Filing View

Click **OK** to the Notification window.

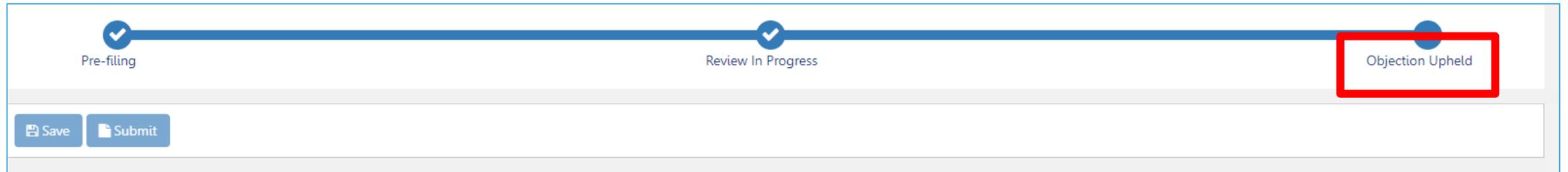
Notification ×

Determination Request has been submitted.

OK

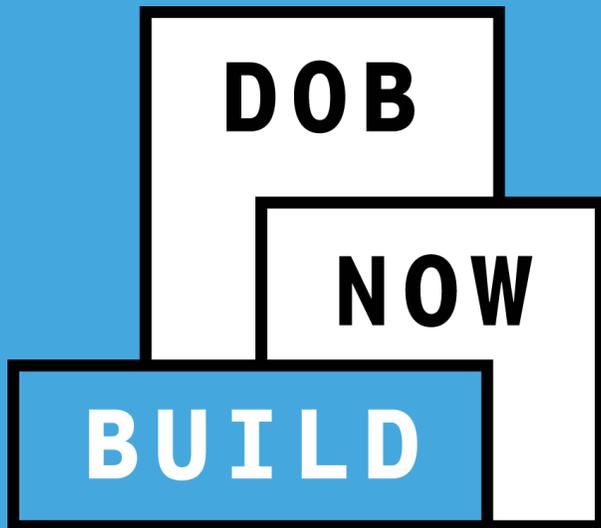
Second Review of Objection Result options:

- **Objection Upheld**
- **Objection Overturned**



- The results of the decision may affect the content of the Objection, or even remove the Objection entirely. **Applicants must respond appropriately to any remaining Objections.**
- **The Applicant may need to update the Job Filing** to incorporate the response to the Second Plan Review.
- If the result is **Objection Overturned**, for DOB NOW jobs ONLY, the Applicant must link the Second Plan Review request to the Objection in the job filing, as described in the following slides.

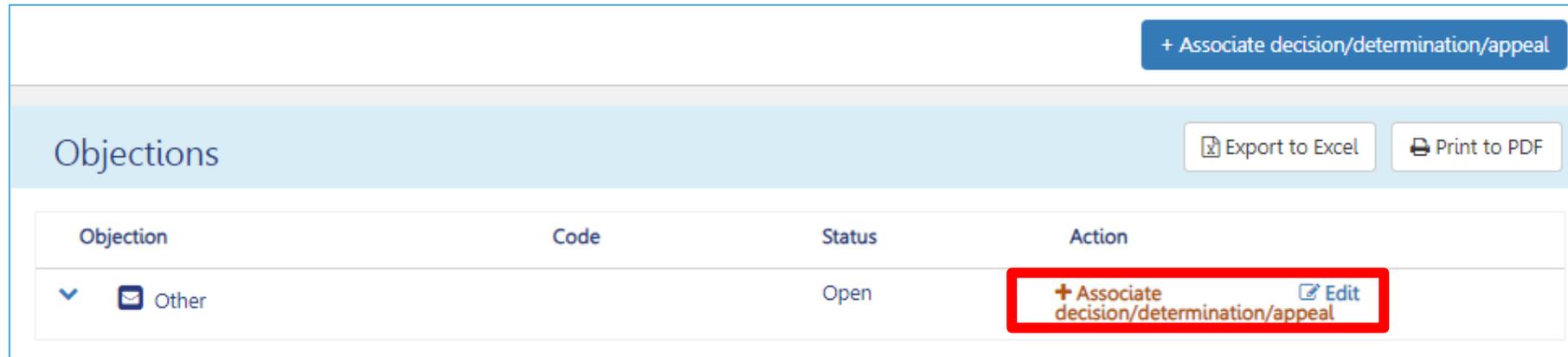
- If the result is **Objection Upheld**, the Applicant may choose to file an **Objection Level Determination** or **Request documents for Board of Standards and Appeals**.
- If a Second Review of Objection is escalated to the BSA, **no further escalations can be made in DOB NOW**.
- After the request for Board of Standards and Appeals Objection Sheet has been completed, the Applicant must **Print Response Document** and then **contact BSA directly** for instructions to escalate the objection to BSA.



DOB NOW: *Build* – DETERMINATIONS & APPEALS

Linking Second Review of Objection Results with the Overturned Objection for DOB NOW Jobs

- After receiving a decision of **Objection Overturned** on a Second Review of Objection, Applicants must **associate the Request with the relevant Objection in the Job Filing**. This will create a link from the Objection to the Request.
- The Job Filing **may not be resubmitted until this link is created**.
- On the Incomplete/Objections/Appointments tab, click **+Associate decision/determination/appeal**.



The screenshot shows a web interface for managing objections. At the top right, there is a blue button labeled "+ Associate decision/determination/appeal". Below this is a section titled "Objections" with "Export to Excel" and "Print to PDF" buttons. A table below lists objections with columns: Objection, Code, Status, and Action. The table contains one row for an objection with a dropdown arrow, an envelope icon, and the text "Other". The status is "Open". The action column contains two links: "+ Associate decision/determination/appeal" (highlighted with a red box) and "Edit".

Objection	Code	Status	Action
▼  Other		Open	+ Associate decision/determination/appeal Edit

Associate Decision/Determination/Appeal

Request Number ⁱ	Determination Type	Request Status
<input checked="" type="checkbox"/> SECPE00011070	Not Applicable	Objection Overturned ▼

- Click the **checkbox** to select the relevant Second Review of Objection request number and click **Add**.

- A link to the Second Review of Objection will be available in the Objection.

Objection	Code	Status	Action
Other		Open	+ Associate Second Plan Review Decision/Determination Update Cancel
Project Type Not Available	Work Type Common		Code Type
Code Year	Reference		Created Date 07/06/2023
Created By Martha Fein	Details Objection Details		
Objection Status* <input type="text" value="Open"/>	Determination Request Number SECPE00005808		
Comments* <input type="text"/>			
255 characters remaining			
Objection History			

DOB NOW: *Build* – ASSOCIATING SECOND REVIEW OF OBJECTION RESULTS FOR BIS JOBS

DOB
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- For BIS jobs, on the Second Review of Objection dashboard, capture a screenshot of the Overturned second objection result showing and highlighting the request number and the associated job number. Save the screenshot into a document.
- Upload this document to the BIS job via the **E-filing portal** using the **Electronically Submit Document** functionality.

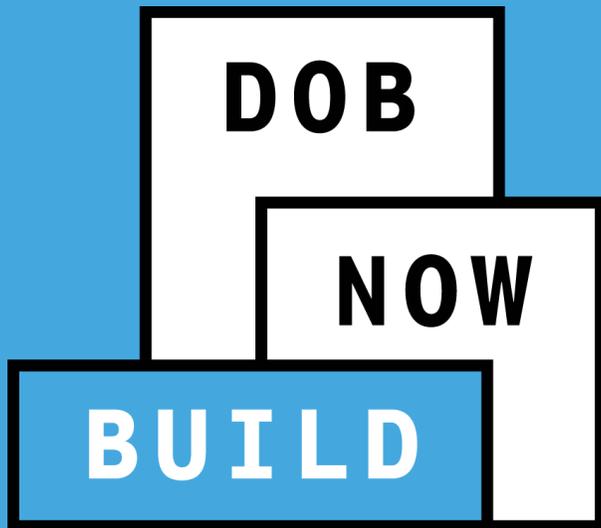
DOB NOW
NYC Department of Buildings Self-service for online Permits, Appointments and Applications

Welcome, BUILD020 BUILD020
BUILD020@BUILDINGS.NYC.GOV
Need Help?
Sign Out

Major Projects Development Program Enrollment/Project Job Filing Permits Requests Notifications Occupancy Landmark Fee Payment Determinations Search

Second Review of Objection/Objections to Board of Standards and Appeals

View...	Filing Action	Request Number	Determination Class	Review Type	Request Status	Determination Sub Type	Short Description	Objections Related To	Associated Job/BIN Number
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008549	Not Applicable	Second Review of Objection	Objection Overturned	Objection	existing building	Architectural Plans	M00447648-11
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008548	Not Applicable	Second Review of Objection	Objection Overturned	Objection	review	Architectural Plans	M00447647-11
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008547	Not Applicable	Second Review of Objection	Objection Overturned	Objection	objection not valid	Architectural Plans	B00447766-11
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008546	Not Applicable	Second Review of Objection	Objection Overturned	Objection	side yard	Architectural Plans	X00447763-11
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008545	Not Applicable	Second Review of Objection	Objection Overturned	Objection	Waive objection 3	Architectural Plans	X00447763-11
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008544	Not Applicable	Second Review of Objection	Objection Overturned	Objection	request to waive sd1/sd2...	Architectural Plans	B00447762-11
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008197	Not Applicable	Second Review of Objection	Objection Upheld	Objection	2nd plan review request ...	Architectural Plans	M00447648-11
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008196	Not Applicable	Second Review of Objection	Objection Upheld	Objection	second plan review requ...	Architectural Plans	M00447647-11
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008052-BSA1	CCD1	Board of Standards and Appeals	Agree to issue objection(s)	Objection	filing escalation to BSA ...	Architectural Plans	B00446886-11
<input checked="" type="checkbox"/>	Select Action: ▼	SECPE00008052	Not Applicable	Second Review of Objection	Objection Upheld	Objection	2nd review of objection ...	Architectural Plans	B00446886-11



DOB NOW: *Build* – DETERMINATIONS & APPEALS

Objection Level Determination Requests

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE AN OBJECTION LEVEL DETERMINATION



- Applicants may file an **Objection Level Determination** to request an escalation review of the Objection by DOB. This can only be filed after a Second Review of Objection has been completed and the Objection was upheld.
- On the main Dashboard page click the **+Determinations** button and choose **Determination** to file a Determination Request.

The screenshot shows the DOB NOW dashboard interface. At the top, there is a navigation bar with buttons for '+ Major Projects Development Program Enrollment/Project', '+ Job Filing', '+ Permits', '+ Requests', '+ Notifications', '+ Occupancy', '+ Landmark Fee Payment', '+ Determinations', and 'Search'. Below this, the 'Job Filings' section is visible, with a 'Filter My Jobs' dropdown and several filter buttons for 'All Jobs' (440), 'Alteration' (344), 'Alteration CO' (21), 'ALT-CO - New Building with Existing Elements to Remain' (1), 'New Building' (64), and 'New Building with Existing Elements to Remain' (10). A dropdown menu is open under the '+ Determinations' button, showing options for 'Pre-Determination', 'Determination' (highlighted with a red box), and 'Appeal'. Below the navigation bar, there is a table with columns: 'View...', 'Filing Action', 'Job#', 'Filing#', 'Job Type', 'Filing Type', 'Filing Status', 'Modified Date', 'WorkType(s) ...', and 'Address'. The table contains two rows of data:

View...	Filing Action	Job#	Filing#	Job Type	Filing Type	Filing Status	Modified Date	WorkType(s) ...	Address
	Select Action: ▾	B00457574	I1	Alteration	New Job Filing	Pending CPE/ACPE Assignment	10/17/2023	GR	247 SKILLMAN AVENUE
	Select Action: ▾	Q00454196	I1	Alteration	New Job Filing	Pending CPE/ACPE Assignment	10/05/2023	GC	75-21 65 DRIVE

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE AN OBJECTION LEVEL DETERMINATION

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- Select **Objection Determination**.
- Enter the Job Number.
- The system will determine whether an Objection Level determination is allowed on the job filing based upon whether a Second Review of Objection request has been filed and an Upheld decision has been made.
- System will present a list of Second Review of Objection requests where the Objection was Upheld.
- From the list of requests, select the one desired to file a determination.
- On the **Filing Action** select **Determinations** to proceed.

New Determinations Request

Select Determination Sub Type:*

Objection Determination Job Determination

For DOB NOW jobs, use format M00000001-I1. For BIS jobs, use format 123456789-01.

M00447648-I1

Determination Lists

Filing Action	Request Number	Determination Type	Determination Class	Review Type	Request Status
Select Action:	SECPE00008197	Not Applicable	Not Applicable	Second Review of Objection	Objection Upheld

Select Action:
Determinations

Total Items: 1

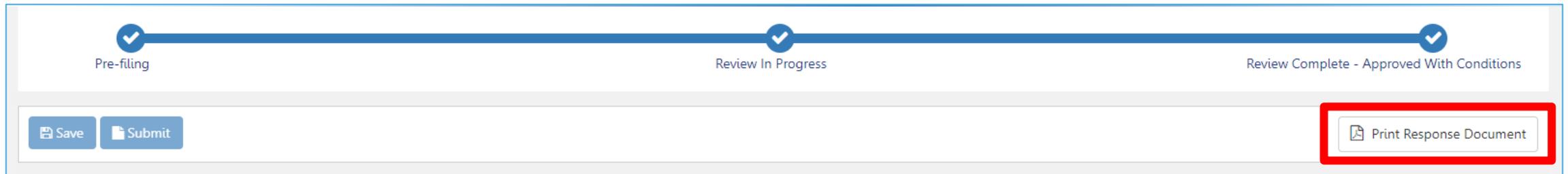
Get Requests Cancel

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE AN OBJECTION LEVEL REQUEST



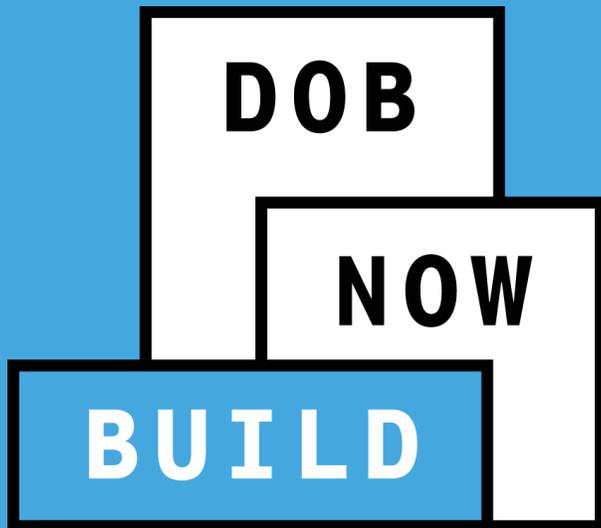
- In the **General Information** tab, enter the stakeholder information, determination description of request.
- In the **Request Details** tab, enter more pertinent information such as construction code year, code section.
- In the **Documents** tab, users may add additional supporting documents.
- **Payment** and **Attestation** are the last steps before submittal.

- Once a decision has been made on a Determination request, the **Response Document** will be accessible from the Determination or Appeal Request.
- Response options:
 - **Approved**
 - **Approved with Conditions**
 - **Denied**



- The results of the decision may affect the content of the Objection, or even remove the Objection entirely. **Applicants must respond appropriately to any remaining Objections.**
- **The Applicant may need to update the Job Filing** to incorporate the response to the Determination/Appeal. They will also be required to link the Determination or Appeal to the Job Filing by using the **+Associate Second Review Decision/Determination** feature.
- If the Determination Request is Denied or Approved with Conditions, Applicants may choose to escalate to an **Appeal of Determination** or to the **BSA**.
- If a Determination or Appeal is escalated to the BSA, **no further escalations on that Determination or Appeal may be made in DOB NOW.**

- After receiving a decision of **Approved** or **Approved with Conditions** on an Objection Level Determination (or Appeal) request, applicants must **associate the Objection Level Determination (or Appeal) Request with the relevant Objection in the Job Filing for DOB NOW jobs**. This will create a link from the Objection to the Objection Level Determination (or Appeal) Request.
- The DOB NOW Job Filing **may not be resubmitted until this link is created**.
- The process for linking the Objection Level Determination (or Appeal) Request to the Objection is the same as the process for linking a Second Review of Objection request. See [that section](#) for details.
- For BIS jobs, the Applicant must **Print Response Document in DOB NOW**, save it, then upload it to the BIS job via the **E-filing portal** using the **Electronically Submit Document** functionality.

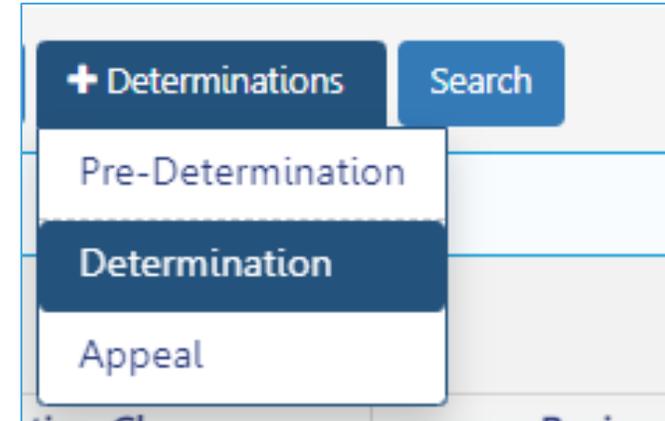


DOB NOW: *Build* – DETERMINATIONS & APPEALS

Job Filing Level Determination Requests

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A JOB FILING LEVEL DETERMINATION

- Begin by clicking the **+Determinations** button and selecting **Determination** from the drop-down menu.
- Select **Job Determination**
- Enter the **Job Number**. Click **Proceed**.



New Determinations Request

Select Determination Sub Type:*

Objection Determination	Job Determination
-------------------------	-------------------

For DOB NOW jobs, use format M00000001-I1. For BIS jobs, use format 123456789-01.

Proceed Cancel

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A JOB FILING LEVEL DETERMINATION

General Information			
Request Information		Location Information	
Request Number Not Yet Issued	Determination Status Pre-filing	House Number 83-26	Street Name BRITTON AVENUE
Determination Type Determination	Determination Sub Type Job Filing	Borough QUEENS	Block 1517
Review Type Determination	Associated Job Number Q00437520-I1	Lot 117	BIN 4037505
		Zip Code 11373	Community Board 404

- The **Location Information** in the **General Information** tab will be auto filled from the related Job Filing.

- The Applicant Information will also be pulled from the Job Filing.
- If desired, enter details for the Alternate Contact.

Alternate Contact Information*

Email*	Relationship to the Property*	First Name*
<input type="text" value="Please enter email address"/>	<input type="text" value="Select:"/>	<input type="text"/>
Middle Initial	<input type="text" value="Select: Attorney Filing Representative (Class 2) Other"/>	Business Name*
<input type="text"/>	<input type="text"/>	<input type="text"/>
Business Telephone*	Business Address*	City*
<input type="text"/>	<input type="text"/>	<input type="text"/>
State*	Zip Code*	Mobile Telephone*
<input type="text"/>	<input type="text"/>	<input type="text"/>
License/Registration#		
<input type="text"/>		

- Select the **Determination Class** and the appropriate **Determination Sub Class**.

Determination Details

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

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A JOB FILING LEVEL DETERMINATION

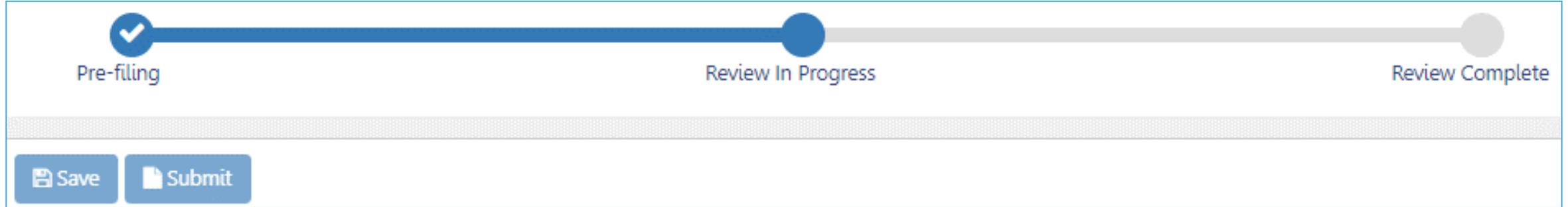
DOB
NOW

Description of Request*

5000 characters remaining

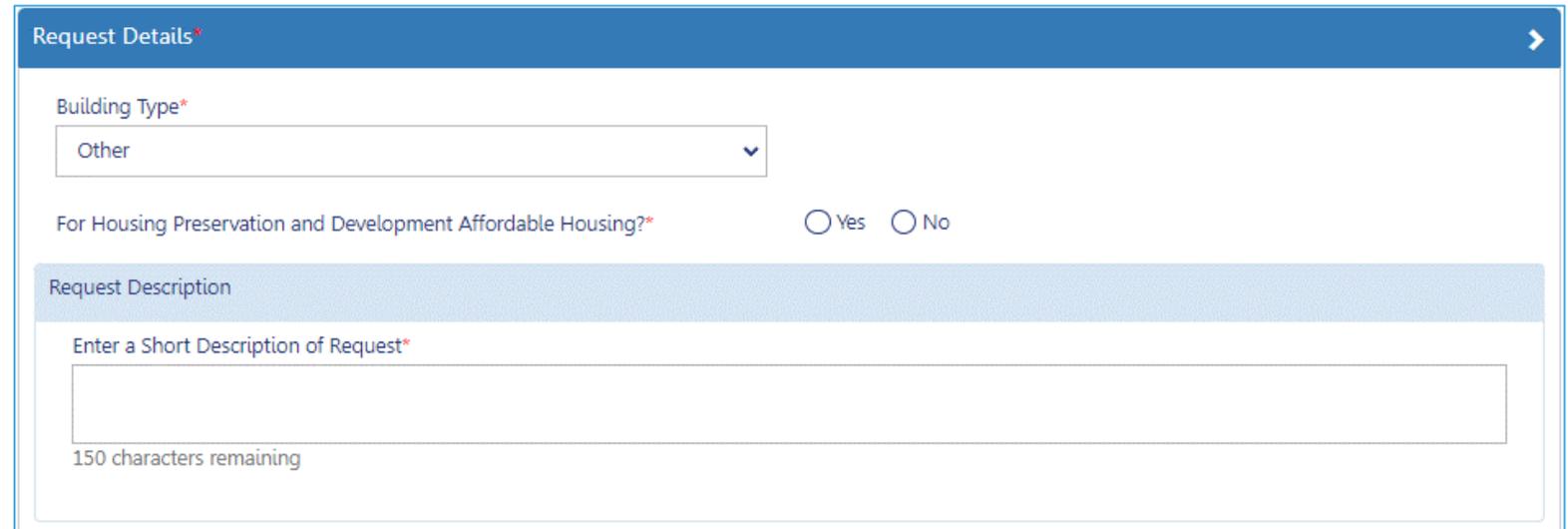
- Also enter a text **Description of Request.**
- Click **Save.**

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A JOB FILING LEVEL DETERMINATION



- Upon clicking **Save**, the status bar will appear.

- In the **Request Details** tab the **Building Type** will be auto-filled from the Job Filing and cannot be edited.
- Answer:
 - For **Housing Preservation and Development Affordable Housing?** (Yes/No)
 - A **Short Description of Request**



The screenshot shows a web form titled "Request Details". It contains a dropdown menu for "Building Type*" with "Other" selected. Below it is a question "For Housing Preservation and Development Affordable Housing?" with radio buttons for "Yes" and "No". Underneath is a section for "Request Description" with a text input field labeled "Enter a Short Description of Request*" and a character count of "150 characters remaining".



If applicant answers **Yes** to the Affordable Housing question, they will have to upload a HPD affordable housing document.

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A JOB FILING LEVEL DETERMINATION

- Also enter details for:
 - Construction Code
 - Zoning Information

Construction Code Year 2022	Code Section ⓘ 	MDL Section (Multiple Dwelling Law) MDL-xx format
Rule Number 1RCNY xxxx-xxxx format ev	TPPN, Memo ⓘ 	BBs (Building Bulletins) BB Year-xx format
Zoning Resolution Section xx-xxx format		
Zoning Information		
Zoning District(s) 1 selected	Zoning Overlay(s) Select	Special District(s) Select
R5		

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A JOB FILING LEVEL DETERMINATION

- On the **Documents** tab, click **+Add Document** to open the Upload Document window.
- Enter a **Document Name** and select a **Document Type**.
Navigate to the document on your computer and open.
Then click **Upload** to add the document to your request.
- If the building is **HPD Affordable Housing** or **Fee Exempt**, applicants must provide supporting documentation.

DA00002136

Documents

General Information

Request Details

Documents

Statements & Signatures

+ Add Document

Actions

Upload Document

Document Name*

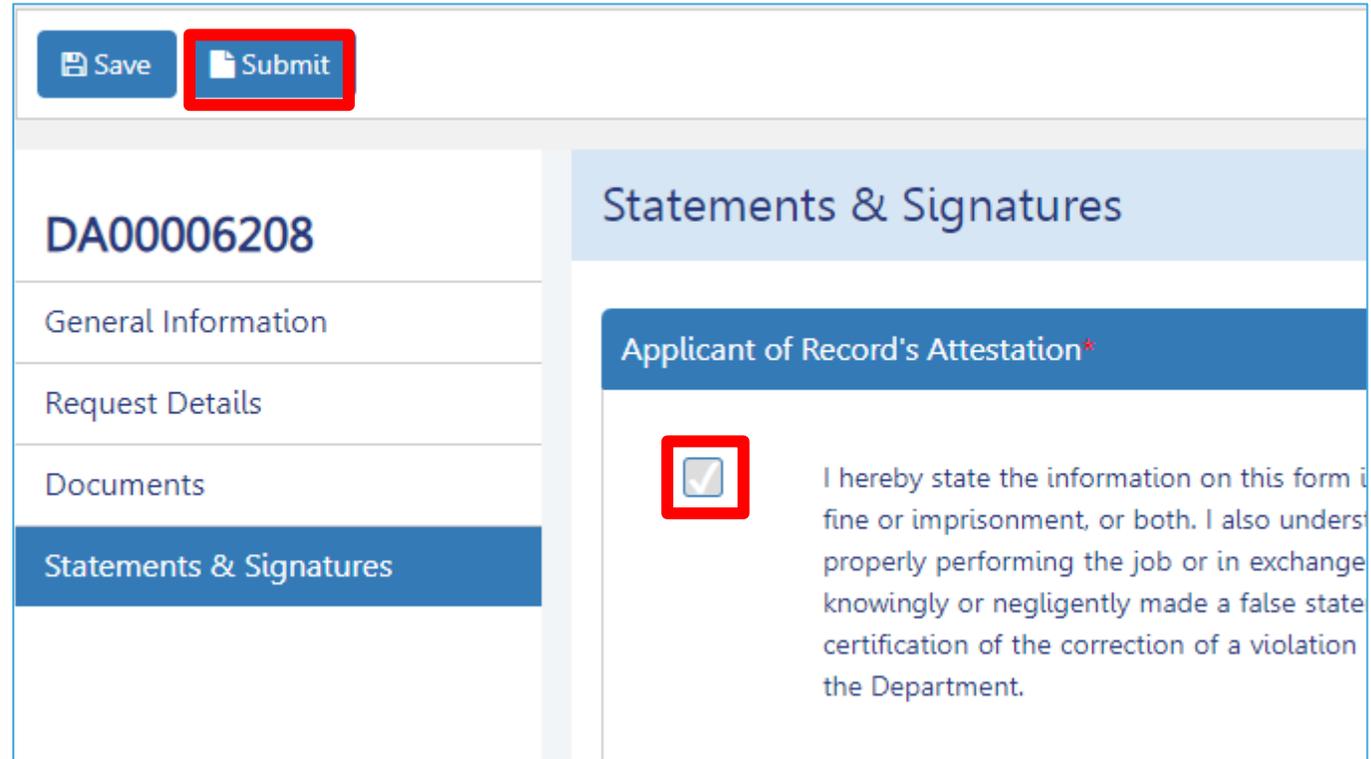
Document Type*

Select:

- Select:
- Additional Supporting Document
- Affordable Housing Supporting Documentation
- Fee Exempt Supporting Document - DOF Property Tax Assessment Roll
- MOPD Recommendation
- Plans/Sketch

Upload Cancel

- On the **Statements and Signatures** tab the Requestor will be required to click the checkbox to attest.
- **Pay** any required fee.
- Click the **Submit** button.



Save Submit

DA00006208

General Information

Request Details

Documents

Statements & Signatures

Applicant of Record's Attestation*

I hereby state the information on this form is true and correct. I am not aware of any violation of the Department's rules, regulations, or laws, or any fine or imprisonment, or both. I also understand that I am responsible for properly performing the job or in exchange for the Department's certification of the correction of a violation of the Department's rules, regulations, or laws, or any fine or imprisonment, or both, I am knowingly or negligently making a false statement.

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A JOB FILING LEVEL DETERMINATION

- Using the toolbar at the top of the page, navigate to the last page.



DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE A JOB FILING LEVEL DETERMINATION

Click the check-box to attest and then click the **File** button to complete the application.

I understand and agree that by personally clicking on the box at left I am electronically signing this application and expressing my agreement with all of its terms. I understand that this electronic signature shall have the same validity and effect as a signature affixed by hand.

Name Date
(Electronically Signed)

File Return to Filing View

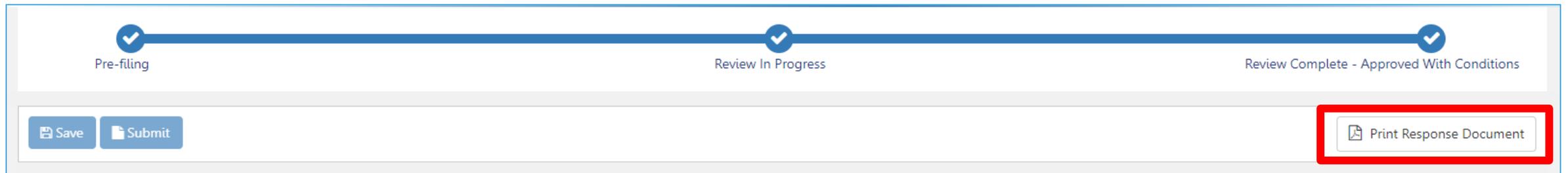
Click **OK** to the Notification window.

Notification

Determination Request has been submitted.

OK

- Once a decision has been made on a Determination request, the **Response Document** will be accessible from the Determination or Appeal Request.
- Response options:
 - **Approved**
 - **Approved with Conditions**
 - **Denied**



- Once a decision is issued for a Determination or Appeal request, a link to that request will be available in the Job Filing for **DOB NOW jobs**.
- The link will be in a new **Determinations & Appeals** tab.
- Press the View button to see the Request.

B00386604-I1

Plans/Work (PW1)

Zoning Information

Determinations & Appeals

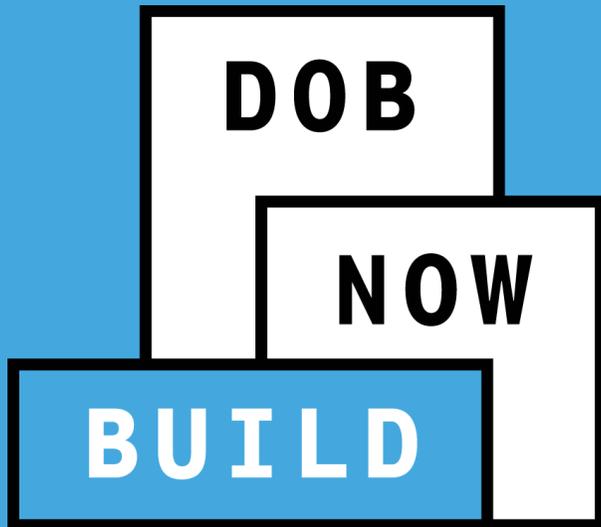
Cost Affidavit (PW3)

Determinations & Appeals

Determinations & Appeals >

View	Request Number	Determination Type	Determination Sub Type	Objections Related To	Dete
	DA00005288	Determination	Job Filing		CCD1

- After the DOB decision is made, **the Applicant may need to update the Job Filing or file a Post Approval Amendment (PAA)** to update an approved Job Filing. Make sure the changes align with the decision details.
- For BIS jobs, the Applicant must **Print the Response Document** for the Determination in DOB NOW, save it, then upload it to the BIS job via the **E-filing portal** using the **Electronically Submit Document** functionality.
- If a Determination or Appeal is escalated to the Board of Standards and Appeals, **no further escalations on that Determination or Appeal may be made in DOB NOW.**

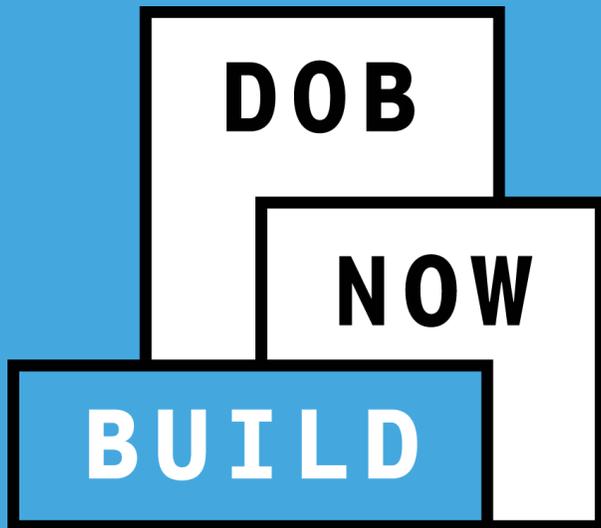


DOB NOW: *Build* – DETERMINATIONS & APPEALS

Appeal of Determination/Pre-Determination

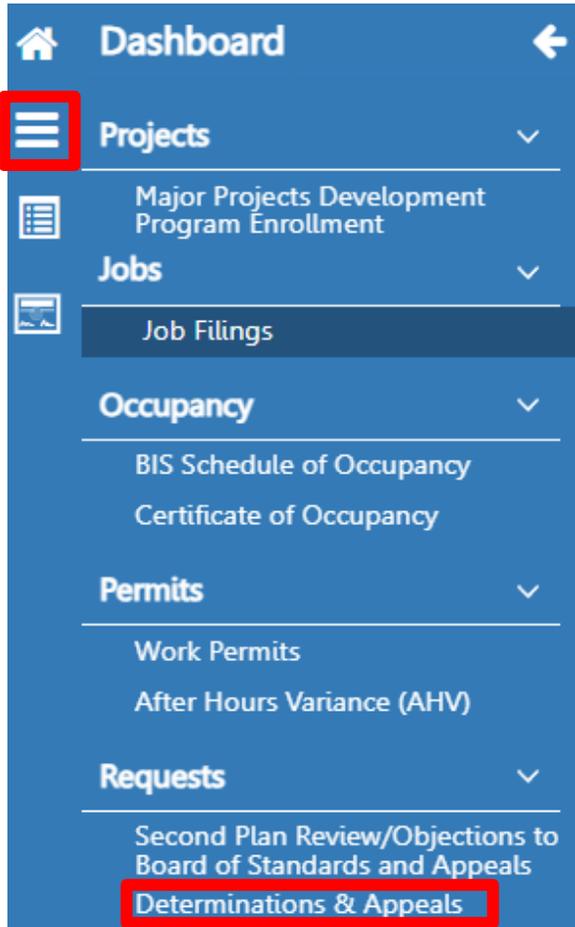
- **Appeal of Determination/Pre-Determination**

- If the Determination request is Denied or Approved with Conditions, the Applicant may Appeal the decision.
- This Appeal will be reviewed by the Technical Affairs team.
- If the Applicant is not satisfied with the result of the Appeal of Determination, they may request a **Second Appeal of Determination** to be reviewed by the FDC/DC.



DOB NOW: *Build* – DETERMINATIONS & APPEALS

How to File an Appeal



- Applicants may file an **Appeal** by navigating to the **Determinations & Appeals Dashboard**. Click the burger icon at left to open the list of dashboards.
- On the dashboard, Applicants may use the **Filing Action** drop-down to select **Appeal** on a Determination request with status **Review Complete – Denied** or **Review Complete – Approved with Conditions**.

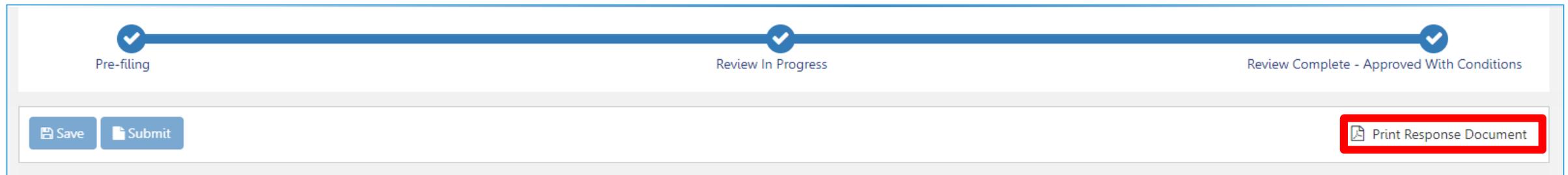
View...	Filing Action	Request Number	Request Type	Request Status
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Select Action: <input type="text"/>	DA00002136	Construction Code Determination	Pre-Filing
	Select Action: <input type="text"/>	DA00002129	Construction Code Determination	Review In Progress
	Select Action: <input type="text"/>	DA00002128	Construction Code Determination	Review Complete - Denied
	Select Action: <input type="text"/>	DA00002037	Construction Code Determination	Review Complete - Approved
	Appeal	DA00001832	Construction Code Determination	Pre-Filing

DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE AN APPEAL

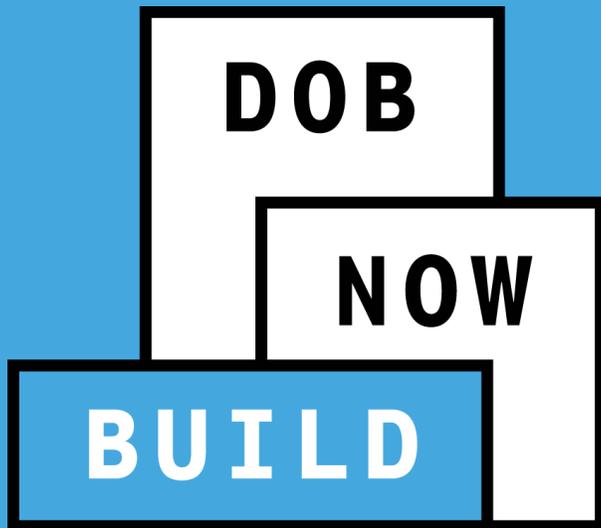
- Applicants may also initiate an appeal by clicking the **+Determinations** button and selecting **Appeal**.
- The **Appeal** process in DOB NOW: *Build* is identical to the Determination process.



- Once a decision has been made on an Appeal request, the **Response Document** will be accessible from the Determination or Appeal Request.
- Response options:
 - **Approved**
 - **Approved with Conditions**
 - **Denied**



- **The Applicant may need to update the Job Filing** to incorporate the response to the Determination/Appeal.
- If a Determination or Appeal is escalated to the Board of Standards and Appeals, **no further escalations on that Determination or Appeal may be made in DOB NOW.**
- For BIS jobs, the Applicant must **Print Response Document in DOB NOW**, save it, then upload it to the BIS job via the **E-filing portal** using the **Electronically Submit Document** functionality.



DOB NOW: *Build* – DETERMINATIONS & APPEALS

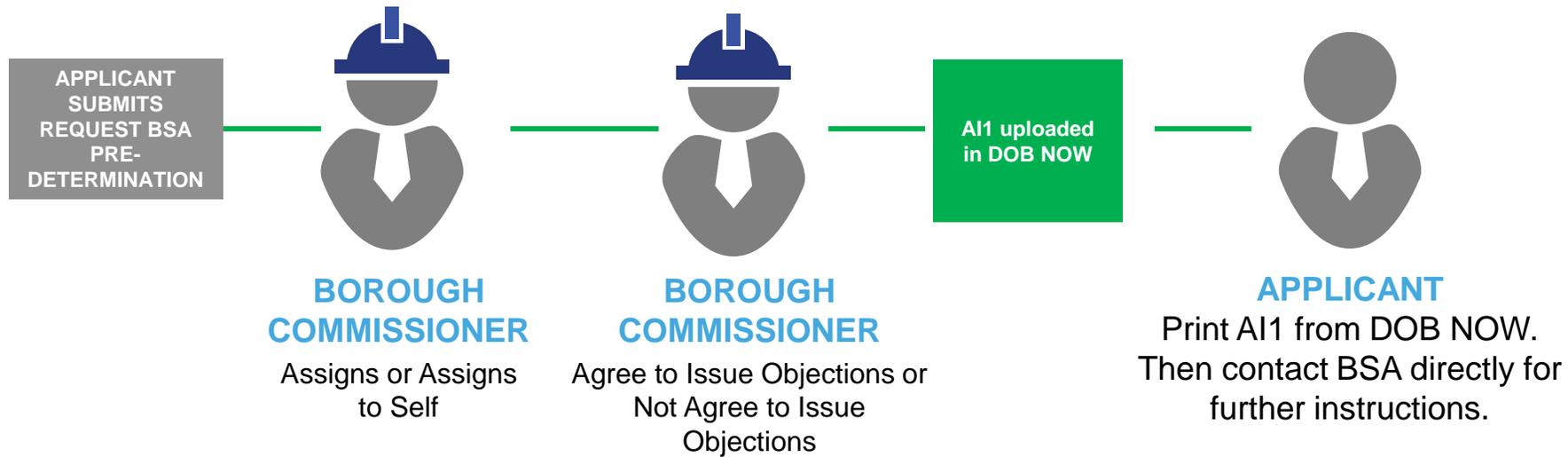
Board of Standards and Appeals

- There are three types of **BSA Review**.
 - If the Applicant wishes to contact the BSA for a Pre-Determination about a building or property under General City Law §35 or §36, they may request that the Borough Commissioner **review and sign a completed AI1 form for submission to the BSA**.
 - If the Applicant wants to contest an Objection issued or to request an outside review of a Second Review of Objection or Objection Level Determination, they may request that the Borough Commissioner **review the Objection Sheet and sign it before the Applicant takes the document to the Board of Standards and Appeals**.
 - Similarly, if the Applicant is unsatisfied with their response from the Appeal or Second Appeal of Pre-Determination/Determination, they may request that the Deputy Commissioner or First Deputy Commissioner **review and sign the Decision Document for submission to the Board of Standards and Appeals**.

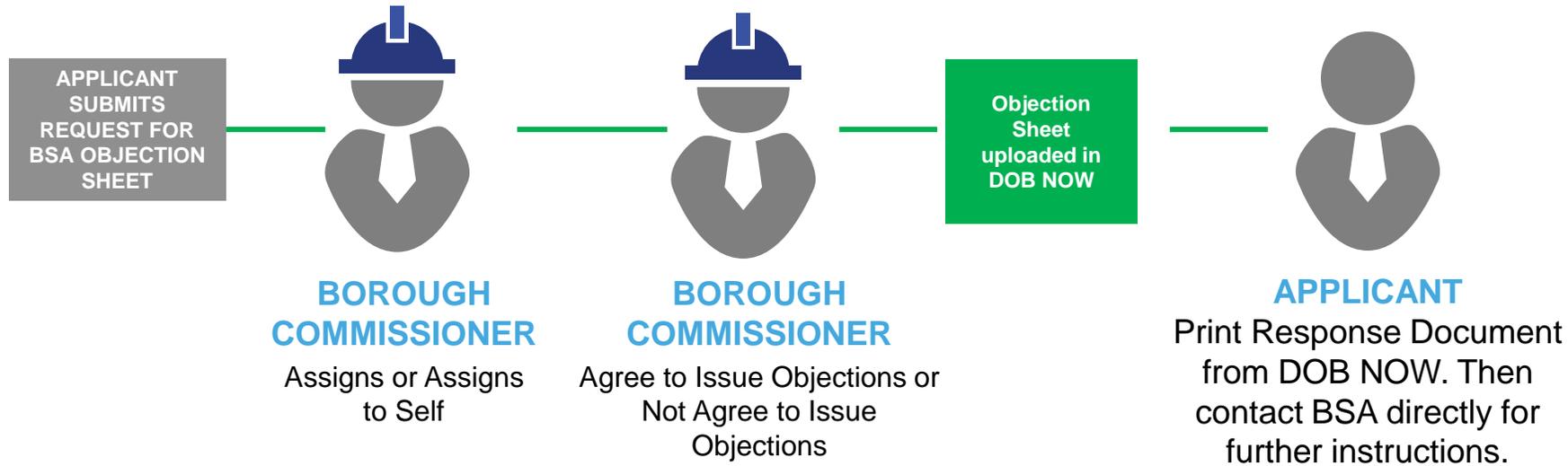
▪ BSA Review

- As part of these levels, **the Applicant can choose to present new arguments or additional information** to be reviewed by the BC or FDC.
- The Applicant may request that DOB stamp the AI1, Objection Sheet, or Decision Document “Denied” for purposes of requesting a zoning variance from the Board of Standards and Appeals (BSA) or a special permit from BSA or the City Planning Commission, or BSA approval per NYS General City Law §35 or §36.

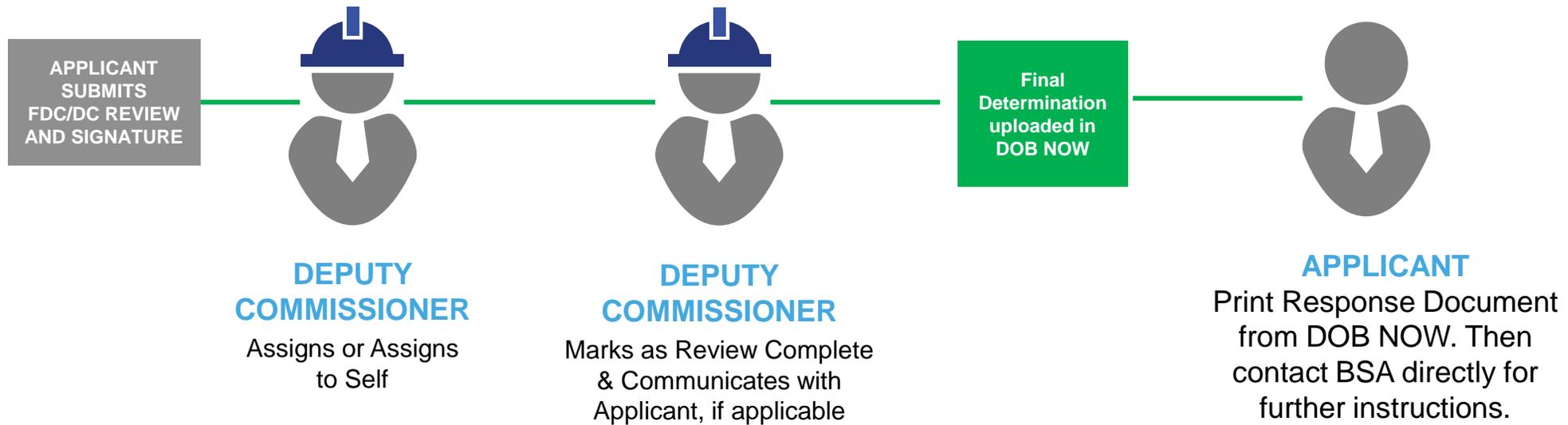
DOB NOW: *Build* – REQUEST BSA: PRE-DETERMINATION

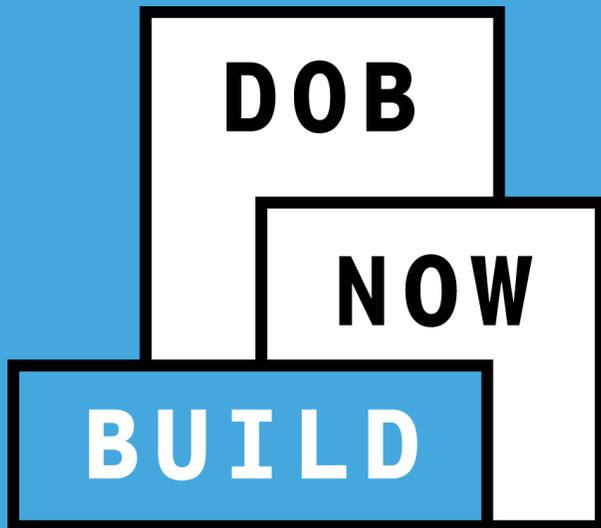


DOB NOW: *Build* – REQUEST BSA: OBJECTION SHEET



DOB NOW: *Build* – REQUEST BSA: DETERMINATION



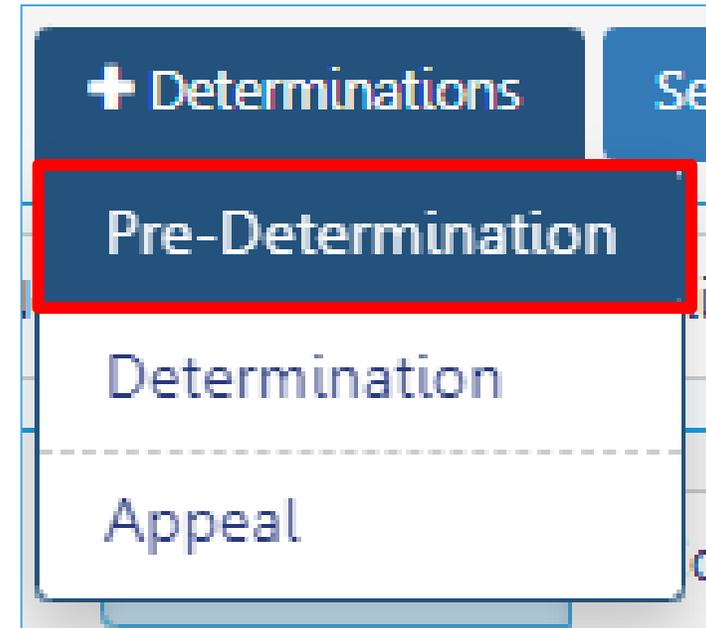


DOB NOW: *Build* – DETERMINATIONS & APPEALS

Document Requests for Board of Standards and Appeals

- There are three types of Request for escalation to the Board of Standards and Appeals:
 - **Pre-Determination** is filed before any Job is filed in DOB NOW
 - **Submission of Objection** is filed after a Second Review of Objection or an Objection Level Determination
 - **Determination or Appeal** is filed after any type of Appeal

- Click the **+Determinations** button.
- Select **Pre-Determination**.



New Pre-Determination Request

Select Determination Type:^{*}

Pre-Determination	External Agency	Board of Standards and Appeals GCL35/36 Pre-Determination
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Select Search Type:^{*}

BIN	Borough, Block, Lot
-----	---------------------

Borough, Block, Lot

Borough	Block	Lot (optional)
Select Borough ▼	Enter Block	Enter Lot

- On the pop-up, select **Board of Standards and Appeals GCL35/36 Pre-Determination**.
- Enter either the **BIN** or the **Borough, Block, Lot**.
- Enter the details of the Borough, Block and Lot if needed.
- Click **Search**.

- The form to complete to submit the Pre-Determination BSA request is identical to the form for Pre-Determinations.
- The Applicant must upload a completed **AI1 Form**.
- DOB will review the request and the **AI1 Form** will be signed by the Borough Commissioner for the Applicant to submit to the Board of Standards and Appeals.
- The Applicant **Prints Response Document** and then contacts BSA directly. Nothing is sent to BSA through DOB NOW.

- Click the **+Requests** button.
- Select **Board of Standards and Appeals**.



Board of Standards and Appeals (BSA)

Document Requested for Submission to BSA:*

Objection Sheet	Determination or Appeal
-----------------	-------------------------

Objection Related To:*

Architectural Plans	Energy	Site Safety Plan/Waiver
---------------------	--------	-------------------------

For DOB NOW jobs, use format M00000001-11. For BIS jobs, use format 123456789-01.

Proceed Cancel

- If the Applicant selects **Objection Sheet** as the Determination Request Level, they will need to answer:
 - **Objection Related To** (Architectural Plans, Energy, or Site Safety Plan/Waiver)
 - **Job Number**
- Click **Proceed**.

- The form to complete to submit the Objection Sheet BSA request is identical to the form for Determinations or Appeals.
- DOB will review the request and the **Objection Sheet** will be signed and stamped by the Borough Commissioner for the Applicant to submit to the Board of Standards and Appeals.
- The Applicant **Prints Response Document** and then contacts BSA directly. Nothing is sent to BSA through DOB NOW.

- If the Applicant selects **Determination or Appeal** as the Request Level, they will only need to enter the **Job Number**.
- Click **Get Requests**.

Board of Standards and Appeals (BSA)

Document Requested for Submission to BSA:*

Objection Sheet	Determination or Appeal
-----------------	--------------------------------

Input a BIN or a Job Number. For DOB NOW jobs, use format M00000001-I1. For BIS jobs, use format 123456789-01.

ENTER JOB FILING NUMBER OR BUILDING IDENTIFICATION NUMBER

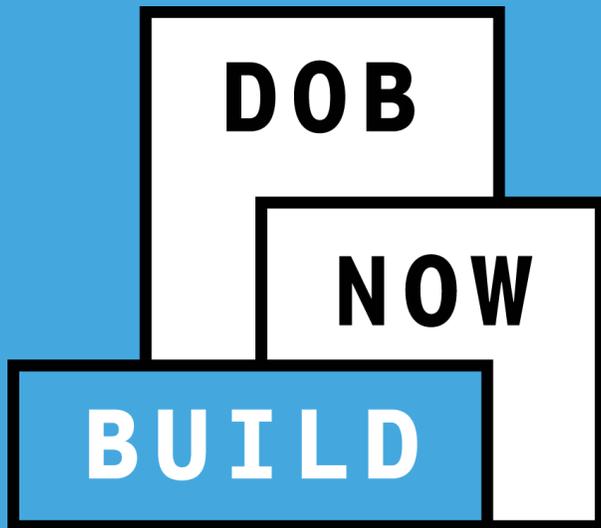
Determination Lists

Filing Action ...	Request Number ...	Determination Status	Determination Type	Review Type
Select Action:	DA00005288-A1	Review Complete - Denied	Appeal	Appeal of Determination
Select Action: Board of Standards and Appeals		Review Complete - Denied	Determination	Determination

Total Items: 2

- The system will display a list of all related Determinations and Appeals.
- In the **Filing Action** drop-down for **the most recent Appeal**, select **Board of Standards and Appeals**.

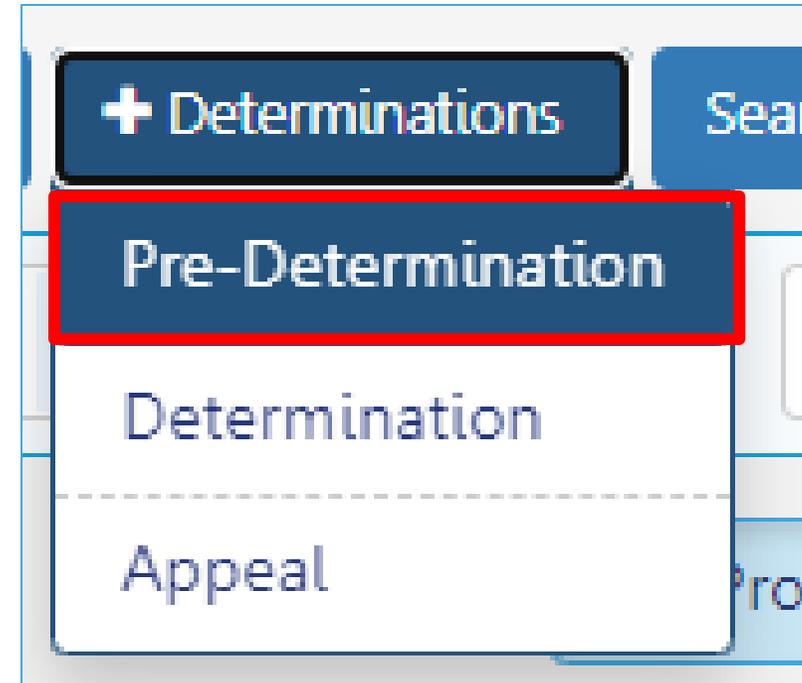
- The form to complete to submit the Determination or Appeal BSA request is also identical to the form for Determinations or Appeals.
- DOB will review the request and the **Final Determination** will be signed and stamped by the Deputy Commissioner/First Deputy Commissioner for submission to the Board of Standards and Appeals.
- The Applicant **Prints Response Document** and then contacts BSA directly. Nothing is sent to BSA through DOB NOW.



DOB NOW: *Build* – DETERMINATIONS & APPEALS

External Agency Requests

- Click the **+Determinations** button to begin.
- Select **Pre-Determination**.



DOB NOW: *Build* – DETERMINATIONS & APPEALS: HOW TO FILE AN EXTERNAL AGENCY REQUEST



New Pre-Determination Request

Select Determination Type:^{*}

Pre-Determination External Agency Board of Standards and Appeals GCL35/36 Pre-Determination

Select Search Type:^{*}

BIN Borough, Block, Lot

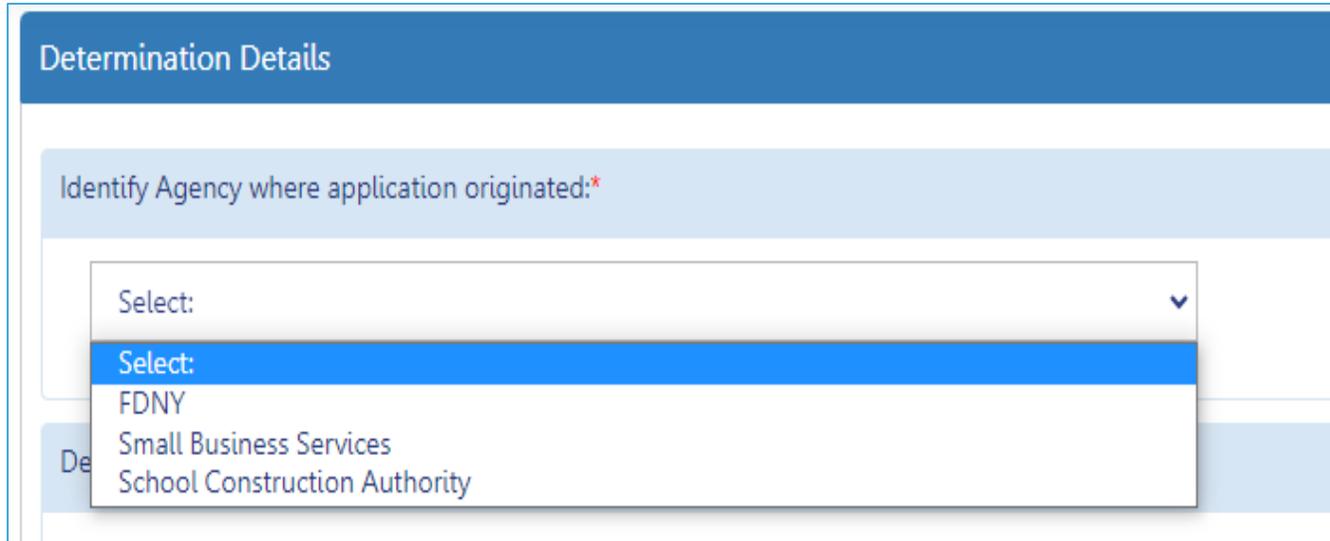
Borough, Block, Lot

Borough Block Lot (optional)

Select Borough Enter Block Enter Lot

Search Cancel

- On the pop-up, select **External Agency**.
- Enter either the **BIN** or the **Borough, Block, Lot**.
- Enter the details of the Borough, Block and Lot if needed.
- Click **Search**.



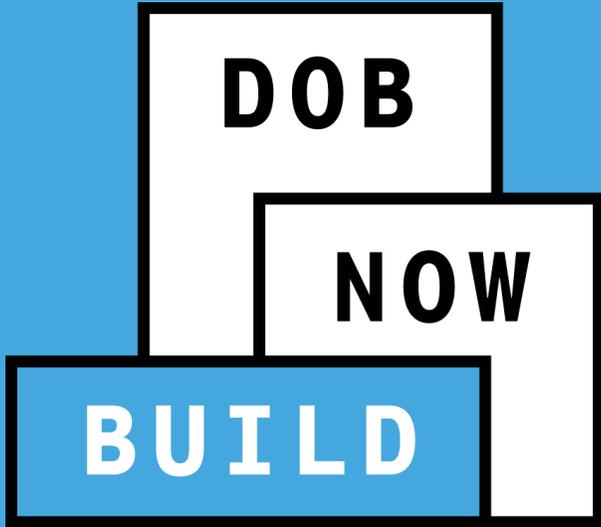
Determination Details

Identify Agency where application originated:*

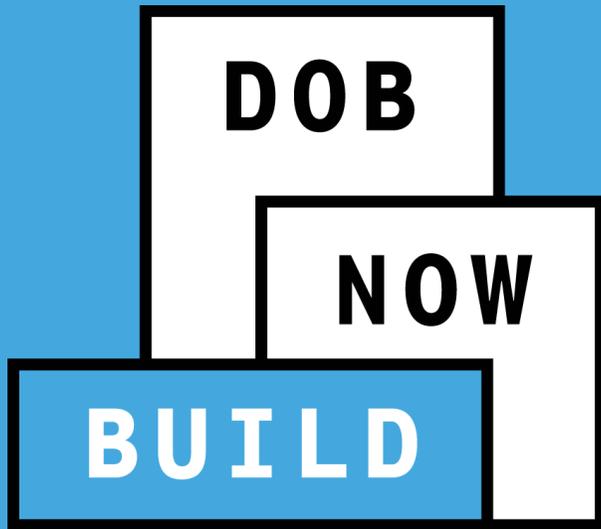
Select: ▼

- Select:
- FDNY
- Small Business Services
- School Construction Authority

- Use the drop-down menu in the **Determination Details** section to identify the **Agency** where the application originated (FDNY, Small Business Services, or School Construction Authority).
- This is the only place where the External Agency Determination request differs from the rest of the form seen in other types of requests shown in this presentation.



THANK YOU!



QUESTIONS?