

SERVICE UPDATE

Local Law 87/09: Process to Comply for New Buildings and Buildings Undergoing Alterations

Local Law 87/09 requires owners of applicable, mixed-use and residential buildings to submit an Energy Efficiency Report (EER) once every ten years. Owners must submit their EER in the calendar year coinciding with the last digit of the building's tax block number.

For new buildings (NBs) with a First Temporary Certificate of Occupancy that is less than ten years old at the time the building is due to comply with Local Law 87/09, owners do not need to submit an EER or a Request for Deferral.

For existing buildings that are undergoing Type 1 Alterations (Alt-1), owners must submit a Request for Deferral and proof of compliance with the NYC Energy Code (NYCECC) that was in effect at the time of application approval of the alteration. Proof of compliance must include all lesser and included permits affecting base building systems.

For buildings that are undergoing Type 2 (Alt-2) and Type 3 (Alt-3) alterations, which are causing difficulty with compliance during the year in which they are due, owners should submit an extension request. Extension requests are due by **October 1st**. The due date for the property would then be extended by one year. Up to two extensions may be granted.

For more information, visit the [LL87/09 webpage](#) in the Sustainability section of the Department's website at <http://www1.nyc.gov/site/buildings/index.page>.

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