



DOB'S ENFORCEMENT OF
ARTICLE 320 OF LL97

FEBRUARY 2026

NYC
Buildings

PRESENTERS

- Alexis Zargar, Senior Sustainability Enforcement Attorney
- Logan O'Connell, Sustainability Enforcement Attorney
- Brian Loughlin, Sustainability Enforcement Attorney

AGENDA

- Overview of LL97
- The LL97 Covered Buildings List (CBL)
- The LL97 Reporting Platform (BEAM)
- Article 320 Penalties
- DOB Enforcement Process



OVERVIEW OF LOCAL LAW 97

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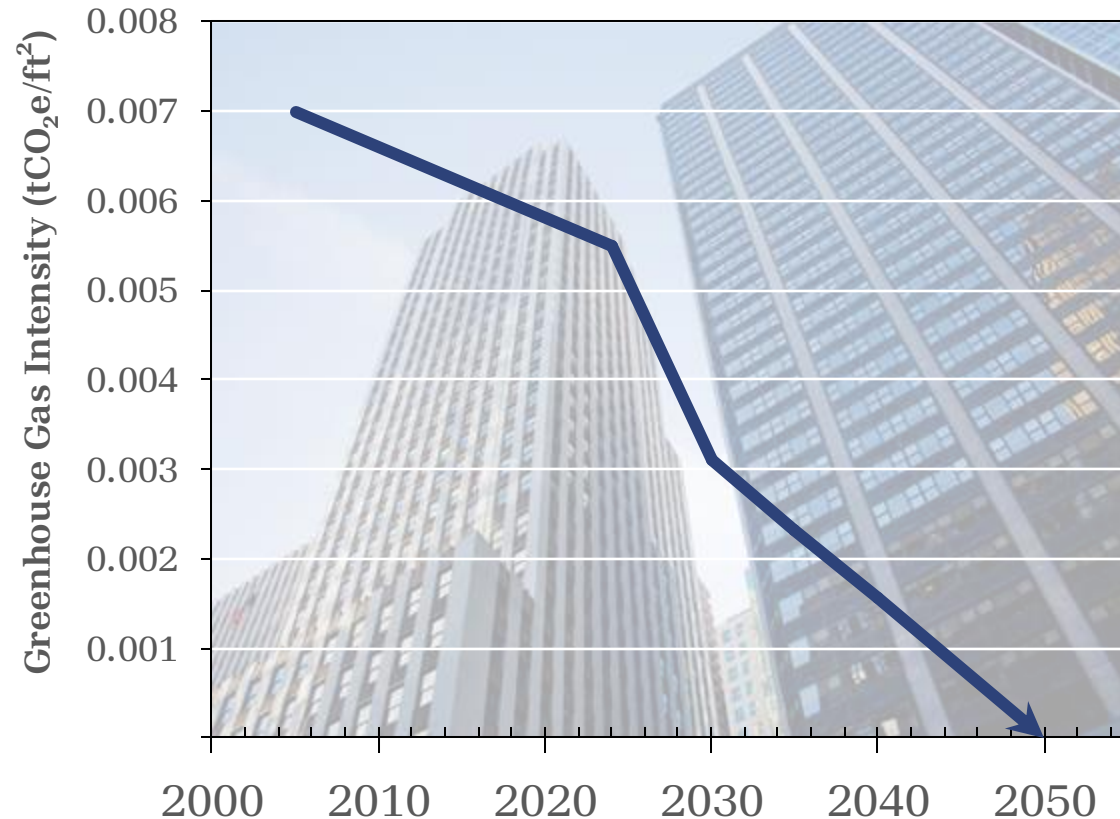
OVERVIEW OF LL97

- Originally enacted in 2019 as part of the Climate Mobilization Act
 - Later modified to the “Local Law 97” (“LL97”) we know today
- The law sets emissions limits for NYC's largest buildings to reduce carbon emissions, mitigate climate change, decarbonize, and improve energy efficiency
- Contains a series of articles enacted by the NYC Council identifying different compliance pathways, depending on building characteristics

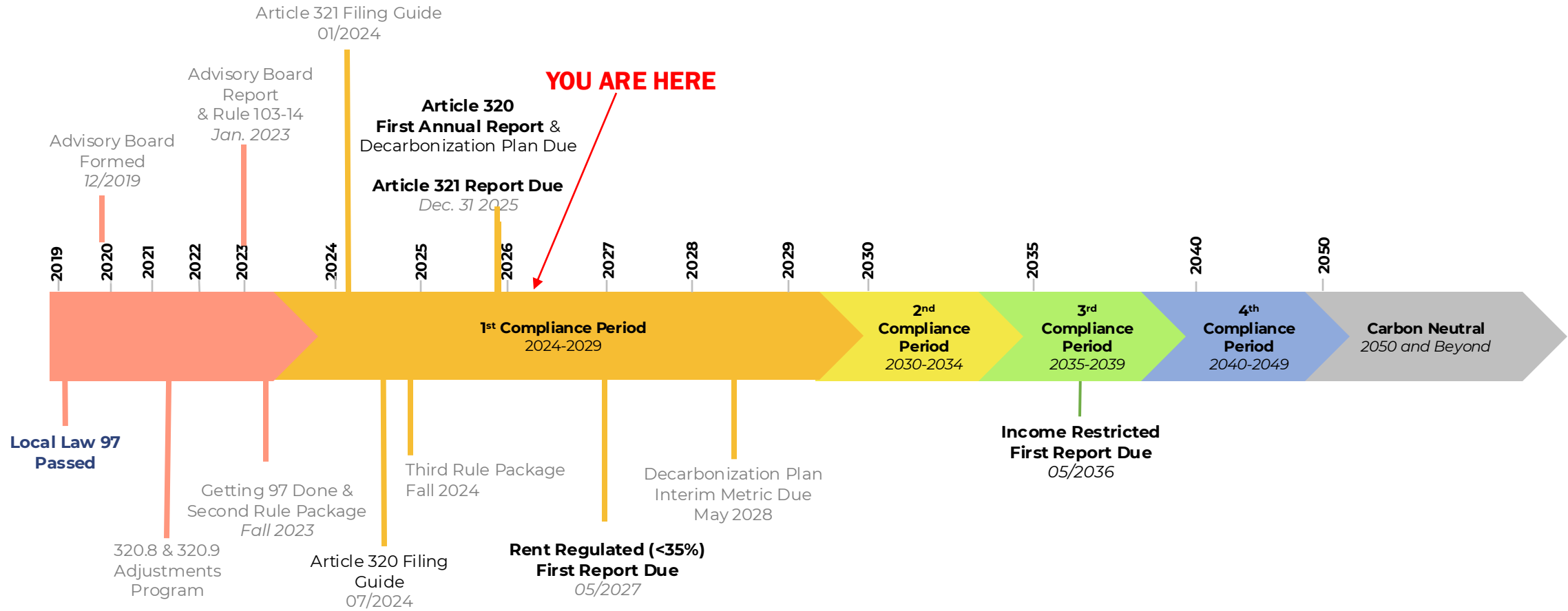
OVERVIEW OF LL97

- Buildings account for over two-thirds (70%) of GHG emissions in NYC
- The NY State Climate Leadership and Community Protection Act (CLCPA) was enacted shortly after LL97, and if fully implemented, will align to dramatically reduce emissions

GHG Reduction Trajectory



OVERVIEW OF LL97



OVERVIEW OF LL97

Article 320 Annual Emissions Limits 30,000 buildings	Article 321 One-Time Compliance 11,500 buildings	(Not Enforced by DOB) Portfolio-Wide Reduction 5,500 buildings
<ul style="list-style-type: none"> Private sector, non-rent regulated accommodations* 	<ul style="list-style-type: none"> Rent-regulated accommodations (>35% rent reg) Houses of worship 	<ul style="list-style-type: none"> City government operations NYCHA
<ul style="list-style-type: none"> Buildings must reduce emissions by retrofitting to improve energy waste and demand. 	<ul style="list-style-type: none"> Install Prescriptive Energy Conservation Measures (PECMs), or Comply with the 2030 annual emissions limit. 	<ul style="list-style-type: none"> City gov portfolio must reduce emissions by 40% by 2025 and 50% by 2030. NYCHA buildings must reduce emissions by 40% by 2030 and 80% by 2050.
<ul style="list-style-type: none"> Compliance begins in 2024, reports begin in 2025. Limits become more stringent in 2030, and so on. Delayed compliance for: <ul style="list-style-type: none"> <35% rent reg (~4,000 buildings), reports begin in 2027. Income restricted (~3,500 buildings), reports begin in 2036. 	<ul style="list-style-type: none"> Compliance must be achieved in 2024. Submit one-time report by 2025. 	<ul style="list-style-type: none"> DCAS to meet portfolio-wide caps starting in 2025. NYCHA starting in 2030.

*Adjustments available for hospitals, nonprofits, buildings with legal/physical constraints/financial hardship.



THE LL97 COVERED BUILDINGS LIST (CBL)

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THE LL97 COVERED BUILDINGS LIST (CBL)

- New York City Administrative Code § 28-320.1 Definitions – “**Covered Building**”

"The term 'covered building' means, **as it appears in the records of the department of finance,**

(i) a building that exceeds 25,000 gross square feet (2322.5 m²) or

(ii) two or more buildings on the same tax lot that together exceed 50,000 gross square feet (4645 m²), or

(iii) two or more buildings held in the condominium form of ownership that are governed by the same board of managers and that together exceed 50,000 gross square feet (4645 m²).”

THE LL97 COVERED BUILDINGS LIST (CBL)

- The NYC Department of Finance produces a list of “covered buildings” to DOB annually.
 - DOF’s records are at the tax lot level (as identified by a BBL).
 - DOF provides to DOB a list of BBLs containing “covered buildings,” and the number of buildings contained on the lot.
 - LL97 compliance is required for each building on a lot where the buildings together or separately meet the size threshold in the law.
- When a building owner disagrees with their building’s inclusion (or exclusion) on the CBL **due to the size of the building**, this information is confirmed with DOF.

NOTE:

- **Borough-Block-Lot (BBL)** – a property or lot
- **Building Identification Number (BIN)** – a building

THE LL97 COVERED BUILDINGS LIST (CBL)

Search...

BBL Lookup

Toggle All Map Layers Off

Zoning and Land Use

- Tax Lots
- Show Land Use Colors
- Zoning Districts**
 - Commercial Districts
 - Manufacturing Districts
 - Residence Districts
 - Parks
 - Battery Park City
- Commercial Overlays**
 - C1-1 through C1-5
 - C2-1 through C2-5
- Zoning Map Index
- Zoning Map Amendments
- Pending Zoning Map Amendments
- Special Purpose Districts
- Special Purpose Subdistricts
- Supporting Zoning Layers**
 - Mandatory Inclusionary Housing Areas
 - Inclusionary Housing Designated Areas

+ Add Another Tax Lot for Comparison

TAX LOT | BBL 1001530001

INDIVIDUAL LANDMARK

280 BROADWAY, 10007

Manhattan (Borough 1) | Block 153 | Lot 1

🔍 🏠 🏢 💰 🏡 = 📍

Zoning District: C6-4

INTERSECTING MAP LAYERS:

- 🔗 [Historic District](#) African Burial Ground & The Commons Historic District

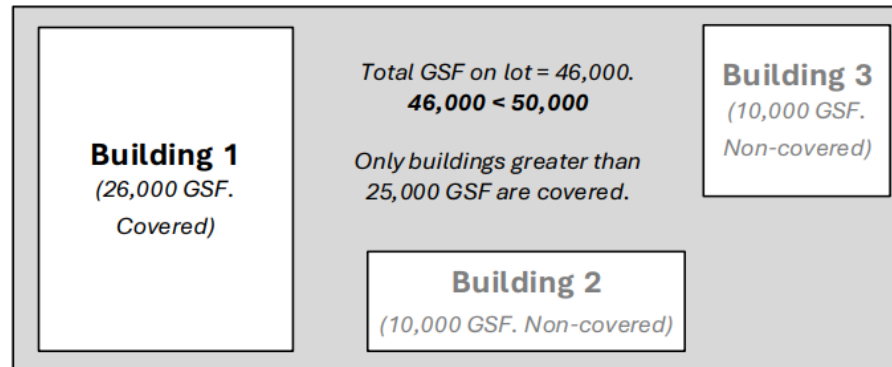
ZONING DETAILS:

- 🔗 [Digital Tax Map](#)
- 🔗 [Zoning Map: 12b \(PDF\)](#)
- 🔗 [Historical Zoning Maps \(PDF\)](#)

Owner Type	City
Owner	Show Owner
Land Use	Commercial & Office Buildings
Lot Area	34,413 sq ft
Lot Frontage	151.58 ft
Lot Depth	207.47 ft
Year Built	1846
Year s Altered	2001 , 2017
Building Class	Office Buildings - Office with Comm – 7 to 19 Stories (06)
Number of Buildings	1
Number of Floors	7
Gross Floor Area	239,671 sq ft
Total # of Units	5
Building Info	BISWEB
Property Records	View ACRIS
Housing Info	View HPD's Building, Registration & Violation Records

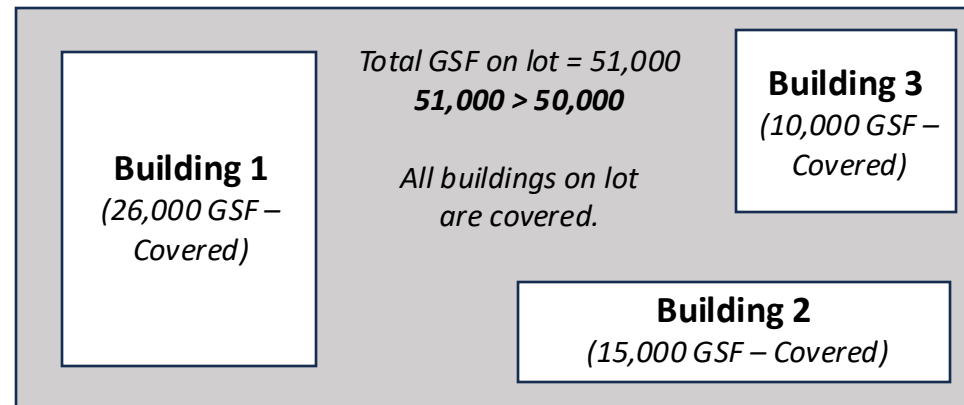
THE LL97 COVERED BUILDINGS LIST (CBL)

- Non-covered building on the same lot as a covered building
 - If one building on a lot is larger than 25,000 square feet, then the entire lot will be on the CBL even when the gross square footage (GSF) is less than or equal to 50,000 square feet (the threshold at which every building on the lot must comply with LL97)
 - In this case, the other buildings on the lot *could* be considered non-covered



THE LL97 COVERED BUILDINGS LIST (CBL)

- If the gross square footage of the buildings on the lot is **greater** than 50,000 square feet, all buildings on the lot are covered buildings



THE LL97 COVERED BUILDINGS LIST (CBL)

- If multiple buildings on a lot have the same owner, share energy service (or utility uploads) and follow the same compliance path, they can submit one aggregate emissions report.

ALLOWED TO REPORT TOGETHER

- Two or more buildings on the same BBL
- Two or more buildings on two or more BBLs that share an energy source

NOT ALLOWED TO AGGREGATE

- Two stand-alone buildings with the same owner on different BBLs that do not share energy

THE LL97 COVERED BUILDINGS LIST (CBL)

■ **Exceptions** under § 28-320.1 Definitions – Covered Building

1. An industrial facility primarily used for the generation of electric power or steam.
2. Real property, not more than three stories, consisting of a series of attached, detached or semi-detached dwellings, for which ownership and the responsibility for maintenance of the HVAC systems and hot water heating systems is held by each individual dwelling unit owner, and with no HVAC system or hot water heating system in the series serving more than 25,000 gross square feet (2322.5 m²), as certified by a registered design professional to the department.
3. A city building.
4. A housing development or building on land owned by the New York city housing authority.
5. A rent regulated accommodation.
6. A building whose main use or dominant occupancy is classified as occupancy group A-3 religious house of worship.
7. Real property owned by a housing development fund company organized pursuant to the business corporation law and article eleven of the private housing finance law.
8. A building that participates in a project-based federal housing program.

THE LL97 COVERED BUILDINGS LIST (CBL)

- Next steps to produce the CBL:
 - DOB integrates compliance pathway information from agency partners (including HPD, HDC, DCAS, NYCHA, and DHCR).
 - DOB integrates building identification numbers maintained by DOB to each tax lot represented by a BBL.
- The complete, integrated LL97 CBL is made available on the DOB website: www.nyc.gov/LL97

BBL	BIN (DOB Records)	ADDRESS	ZIP CODE	CP0: Article 320 beginning 2024	CP1: Article 320 beginning 2026	CP2: Article 320 beginning 2035	CP3: Article 321 One-Time Compliance	CP4: City Portfolio Reductions
2028420038	2008082	105 ELLIOT PLACE	10452				X	
2028420042	2008083	90 EAST 170 STREET	10452	X				
2028420059	2008087	1401 GRAND CONCOURSE	10452		X			
2028420065	2008088	1387 GRAND CONCOURSE	10452	X				
2028420071	2008089	133 ELLIOT PLACE	10452				X	
2028420080	2008090	121 ELLIOT PLACE	10452	X				
2028430018	2008094	1425 TOWNSEND AVENUE	10452				X	
2028430024	2008095	1411 TOWNSEND AVENUE	10452			X		
2028430031	2008096	1401 TOWNSEND AVENUE	10452				X	
2028430035	2008097	1400 TOWNSEND AVENUE	10452				X	
2028430040	2008098	1426 TOWNSEND AVENUE	10452					X

THE LL97 COVERED BUILDINGS LIST (CBL)

The CBL Matrix

- This resource lists the programs eligible for each compliance pathway, and which agency partner(s) DOB receives data from to identify the qualifying buildings for such compliance pathway.
- The CBL Matrix is also available on DOB's website:

www.nyc.gov/LL97

COMPLIANCE PATHWAY	PROGRAM	COMPLIANCE REQUIREMENTS	BUILDINGS COVERED	DOCUMENTATION REQUIREMENTS	DOB GUIDANCE
CP0 - Article 320 beginning 2024 (§§ 238.3.7)	Article 320 Covered Buildings	Must comply in full with the reporting requirements and emissions limits of Article 320 with submission of the first report required for May 1, 2025 for the first compliance year of 2024.	Local Law 97 generally covers, with some exceptions: • Buildings that exceed 25,000 gross square feet. • Two or more buildings on the same tax lot that together exceed 50,000 square feet. • Two or more condominium buildings governed by the same board of managers and that together exceed 50,000 square feet.	Contact the NYC Department of Finance at sustainablebuildings@finance.nyc.gov	Article 320 Info Guide
CP1 - Article 320 beginning 2025 (§§ 238.3.10.1)	1 to <35% Rent Regulated Buildings	May delay compliance with annual building emissions limits until January 1, 2026, and submission of the first report required by section 28-320.3.7 until May 1, 2027	This pathway includes covered buildings where at least one dwelling unit is required by law or by an agreement with a governmental entity to be regulated in accordance with: • the emergency tenant protection act of 1974, • the rent stabilization law of 1969, • or the local emergency housing rent control act of 1962. But that is not a rent regulated accommodation pursuant to the definition in 28-320.1, which requires buildings to be more than 35% rent-regulated.	1 to <35% Rent regulated If the units in the building are rent stabilized only: DHCR Certified Annual Registration Summary from the current or previous calendar year, showing number of units under rent stabilization. Owners can request records here: orarecords@dcrr.nyc.gov If the units in the building are rent controlled: a signed letter from a lawyer, confirming that of the dwelling units in the building, 1 or more units but less than 35% of the dwelling units are rent regulated (rent controlled or rent stabilized).	Article 320 Info Guide
CP2 - Article 320 beginning 2025 (§§ 238.3.9)	Mitchell Lama	May delay compliance with annual building emissions limits until January 1, 2025, and submission of the first report required by section 28-320.3.7 until May 1, 2026	This pathway includes covered buildings: • in the Mitchell-Lama program • With at least one income-restricted unit through a DOF tax exemption such as: - 420-c (Exemption Code 1301) - Public Housing Finance Law ("PHFL") Article II (Exemption Code 5109) - PHFL Article IV (Exemption Code 5107) - PHFL Article V (Exemption Code 5108) - PHFL Article XI (Exemption Codes 5106, 5130) - PHFL Division of Alternative Management Programs (Exemption Code 5129) • With at least one income-restricted unit through HPD	Mitchell Lama Certificate of Incorporation certified by the state. Owners can get copies here: https://dos.ny.gov/copies-corporation-or-business-entity-documents	Article 320 Info Guide
	Income Restricted (DOF Tax Exemptions)			If providing a regulatory agreement or restrictive declaration pursuant to a tax exemption and only a tax exemption, provide a DOF property tax bill with proof of the exemption. Obtain property tax bills from DOF's Property Tax Public Access Web Portal: https://a836-pls-access.nyc.gov/care/forms/html/frame.aspx?mode=content/home.htm	
	Income Restricted (HPD)			Income Restricted (HPD) Copy of active Regulatory Agreement or Restrictive Declaration, executed in connection with one of the programs at left, showing at least one unit with income restriction on it. Obtain regulatory agreements and restrictive declarations here: AGRIS https://www.nyc.gov/site/finance/property/taxits/page	
CP3 - Article 321 One-Time Compliance	>35% Rent Regulated	May comply by submitting a report by May 1, 2025 that follows one of two pathways: • The Performance-Based Pathway report, certified by an RDP and showing that the building's calculated emissions for 2024 were under the emissions limit for calendar year 2030. • The Prescriptive Pathway report, certified by a qualified retro-commissioning ("RCX") agent and demonstrating the completion (or non-applicability) of the 13 Prescriptive Energy Conservation Measures.	Covered buildings that: • are a rent regulated accommodation - more than 35% of dwelling units are subject to rent regulation, in accordance with: - the emergency tenant protection act of 1974, - the rent stabilization law of 1969, - or the local emergency housing rent control act of 1962. • participate in a project-based federal housing program, such as: - Section 8 Project-Based Rental Assistance ("PBRA"); or - Section 202 financing (supportive housing for the elderly); or - Section 811 financing (supportive housing for persons with disabilities); or - Continuum of Care ("CoC") leases serving formerly homeless individuals and families. • are Housing Development Funding Corporation (HDfC) co-ops - which are organized pursuant to the business corporation law and article 11 of the New York state private housing finance law, or • whose main use or dominant occupancy is classified as occupancy group A-3 religious house of worship.	>35% Rent regulated If the units in the building are rent stabilized only: DHCR Certified Annual Registration Summary from the current or previous calendar year, showing number of units under rent regulation. Owners can request records here: orarecords@dcrr.nyc.gov If the units in the building are rent controlled: a signed letter from a lawyer, confirming that of the dwelling units in the building over 35% are rent regulated (rent controlled or rent stabilized).	Article 321 Filing Guide
	Project-based federal housing program			Project-based federal housing program Contract showing proof of the building's active participation in a project-based assistance program.	
	HDfCs Meeting Article 321 Thresholds			321 HDfCs Certificate of Incorporation certified by the state. Owners can get copies here: https://dos.ny.gov/copies-corporation-or-business-entity-documents	
	Houses of Worship			Houses of Worship A completed House of Worship Verification Form and House of Worship Verification Sheet. These can be downloaded at https://www.nyc.gov/assets/buildings/pdf/howerwv_form.pdf and https://www.nyc.gov/assets/buildings/excel/howv_ver.xlsx	
CP4 - City Portfolio Reductions §28-326.1	DCAS	Portfolio-wide reduction managed by DCAS and NYCHA	A building that is owned by the city or for which the city regularly pays all of the annual energy bills, or a cultural institution that is in the Cultural Institutions Group as determined by the department of cultural affairs for which the city regularly pays all or part of the annual energy bills. Exception: The term "city building" shall not include any senior college in the city university of New York system.	City Buildings Documentation that indicates an active lease: Lease document that indicates lessor, lessee, lease duration and any lease extension that will be in place. Entity should also indicate if the entire property or part of the property is being leased. AND Documentation indicating utility payments or agreements: Document that indicates entity paying ALL utility bills.	
	NYCHA			Verification by NYCHA	



THE LL97 REPORTING PLATFORM (BEAM)

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THE LL97 REPORTING PLATFORM (BEAM)

- Receives reports: where all components of a complete LL97 report are submitted for review.
- Allows authorized individuals, such as DOB staff, building owners, and registered design professionals, to submit reports and track filing status.

Welcome to the BEAM Platform!

- BEAM™ provides building owners, managers, and authorized third-party vendors with data and insights on building or parcel level energy consumption and compliance status.
- Once logged in, you will see the subset of buildings you have access to. This access is generally limited to building owners, designated building contacts, ENERGY STAR Portfolio Manager data administrators, and their delegates.
- If you don't have a building owner account, click [here](#) to create one.
- If you need to reset your password, click [here](#).
- For program-specific assistance, please visit our [helpdesk](#) for additional information.

Log in to the BEAM Platform

[Staff Login](#)

Email Address

Password

By clicking the Log In button you accept our [Terms and Conditions](#). [View/Hide Terms](#)

[Log In](#)

[Create my Account](#) [Forgot password?](#)

[Access BEAM Knowledgebase and Helpdesk](#)

THE LL97 REPORTING PLATFORM (BEAM)

- Uses a building's characteristics, including size and property use type, to calculate the building's emissions limit.
- Uses energy consumption data provided by utilities and service providers, to calculate a building's actual emissions for the compliance year.
- Supports special filing adjustments, including unique methodologies and/or deductions (offsets), with validation.

The screenshot displays the BEAM (Powered by SEED Platform) NYC Buildings interface. The interface is divided into several sections:

- Header:** BEAM POWERED BY SEED PLATFORM™ NYC Buildings
- Properties Section:** Properties List, Groups, Cross-Cycles, Data, Summary (Beta)
- Filters:** Cycle, Profile (Bench), Check (Camp), Actions, Hide Menu
- Filter Group:** Filter Group, Current Sorts, Current Filters, Must Include, Include Any, Exclude
- Run a Check:** Select a check to run...
- Mark Status:** Mark status/exception for the cl...
- Scroll to Column:** Column Name
- View Options:** View by Property, View by Tax Lot, View by Portfolio
- Table:** 1-100 of 66229. Columns: Parent Property ID (ES), Parent Property Name, Year Ending. Rows show various icons and numbers.

THE LL97 REPORTING PLATFORM (BEAM)

■ Ticket 1: Covered Buildings List Dispute

- Add a building to the CBL
- Removing a building from the CBL
- Changing a building's compliance pathway

■ Sample Ticket 1 Submission

- Seeking to remove a building from the CBL

01. Covered Buildings List (CBL) Disputes

The "Covered Buildings List (CBL) Disputes" ticket may be used to dispute the inclusion or exclusion of a building on the [LL97 CBL](#), [LL84 CBL](#), [LL87 CBL](#), and [LL88 CBL](#).

NOTE: A DOB NOW Payment Confirmation Number is not needed to access this ticket.

A complete "Covered Buildings List (CBL) Disputes" ticket must include all of the following:

1. Building address (as it appears on BIS), Borough-Block-Lot (BBL), and Building Identification Number (BIN).
2. Responses to all questions required below to identify the type of CBL dispute.
3. Upload of all applicable supporting documentation.
 - For disputes with multiple BINs please ensure that all supporting documentation references all the buildings in the dispute.

For more information on the "Covered Buildings List (CBL) Disputes" ticket, please see the [Covered Buildings List Dispute User Guide](#)

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 any Building Identification Numbers (BINs) associated with this filing.*

[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.

What year of CBL publication does this CBL dispute refer to?*

Is this dispute in response to enforcement communication?

What is your dispute?*

You can find information on which buildings are on covered buildings lists (CBLs) for different sustainability laws on the [DOB website](#), and information on the different LL97 compliance pathways for covered buildings on the [CBL Matrix](#).

Please provide an explanation of your dispute.*

Please provide any additional documentation supporting your dispute, if applicable.

Choose File No file chosen

Please provide any additional documentation supporting your dispute, if applicable.

Choose File No file chosen

Please provide any additional documentation supporting your dispute, if applicable.

Choose File No file chosen

Please provide any additional documentation supporting your dispute, if applicable.

Choose File No file chosen

Submitter Email*

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

Please confirm the information submitted here is complete and accurate.*

Case owner

If you select an owner other than yourself, they'll be e-mailed details of this ticket immediately.

Submit Ticket

THE LL97 REPORTING PLATFORM (BEAM)

■ The CBL Dispute Process:

1. Applicant submits Ticket 1 Covered Buildings List Dispute through BEAM
2. DOB reviews the dispute and any supporting documentation
3. DOB may request more documentation from the applicant if needed
4. DOB may request verification from partner agencies (i.e., DOF, DHCR, etc.)
5. DOB analyzes available information to ascertain whether available information supports the dispute or not
 - Should it be added, removed or subject to a different compliance path
6. DOB informs the applicant and updates internal records

THE LL97 REPORTING PLATFORM (BEAM)

DOB
NOW



BEAM

Primary Information

- LL97 CBL BBL(s)
- LL97 CBL BIN(s)
- Owner
- Owner Representative
- Service Provider (RDP/RCxA)
- Payment Confirmation Number
- Compliance Information

Primary Information

- LL97 CBL BBL(s)
- LL97 CBL BIN(s)
- Property Types
- Gross Floor Area
- Energy Data

Primary Information

- LL97 CBL BBL(s)
- LL97 CBL BIN(s)

THE LL97 REPORTING PLATFORM (BEAM)

nyc-111. [New]

Queue: NYC

Form: 04. LL97 Building Emissions Limit & RDP Attestation (Article 320)

Tags: 320.g Add/Remove Tags

[Click to copy Public Link to your Clipboard](#)

Enter Building Address	280 broadway	Enter Borough-Block-Lot (BBL)	None
Enter Building Identification Number (BIN)	1079215	Select the emissions limit type for this property.	ESPM Building Emissions Limit
Do you wish to add any LL97 deductions or alternatives to calculating annual building emissions?	None	Please complete this form, attest to the GFA limits, and then complete the "LL97 Deductions & Alternatives for Calculating Annual Building Emissions" report.	None
Please complete this form and attest to both the limits (GFA) and emissions.	None	Do you wish to modify the GFA and property type(s) as entered into ESPM for LL97?	None
Enter Total Property Gross Floor Area (GFA)	50000	Multifamily Housing: GFA	None
Office: GFA	None	Hotel: GFA	None
K-12 School: GFA	None	Non-Refrigerated Warehouse: GFA	None
Manufacturing/Industrial Plant: GFA	None	Retail Store: GFA	None
Self-Storage Facility: GFA	None	Worship Facility: GFA	None
College/University: GFA	None	Would you like to add any additional property use types and associated gross floor area?	None
Adult Education: GFA	None	Ambulatory Surgical Center: GFA	None
Automobile Dealership: GFA	None	Bank Branch: GFA	None

OVERVIEW OF LL97

Scenario: The 280 Broadway Building

Annual Emissions

Fuel type	2024-2029 Emissions Coefficient	2024 Annual Fuel Use	2024 Annual Emissions [tCO2e]
District Steam Use	0.00004493 tCO2e/kBtu	6,375,911.60 kBtu	286.4697082
Utility Electricity	0.000288962 tCO2e/kWh	3,755,023.90 kWh	1085.059216
			1371.528924

Emissions Limit

ESPM Property Type	2024 – 2029 Emissions Factor [tCO2e/sf]	Gross Floor Area [sf]	2024 Emissions Limit [tCO2e]
Office	0.00758	109,844	832.61752
Parking	0.00426	4,757	20.26482
Retail Store	0.00758	39,024	295.80192
			1148.68426

THE LL97 REPORTING PLATFORM (BEAM)

BEAM POWERED BY SEED PLATFORM™

< Properties Property Detail

Property Detail | Meters | Sensors | Communications | Notes | Cross-Cycles | Analyses (beta) | Timeline

📄 Property : 1079215

Actions ▾

Cycle: 2024 Calendar Year ▾

Labels: Article 320 Report Received Article 321 Report Received Email Sent Exceeds Limit Over Limit (Offset Purchase Ineligible) Paid Exempted Fee Paid LL88 Fee
Portfolio Manager Connection Established Violation

Detail Column List Profile: All Data ▾

📄 Data from 2024 Calendar Year

Field	Main ↗	2025 LL97 Covered Status (part 13).xlsx 📄	webServicesMetricsPMReports_2024 📄	webServicesMetricsPMReports_2024 📄
🔗 GHG Limit (2024 Factors)	1,148.68			
🔗 Emissions - Simple (2024 Factors)	1,371.53			
🔗 LL97 Electricity Use Adjusted (kWh)	3755023.9			
🔗 LL97 Natural Gas Use Adjusted (kBtu)				
🔗 LL97 Steam Use Adjusted (kBtu)	6375911.6			
🔗 Emissions - Complex (2024 Factors)	1,371.53			
🔗 Final Excess Emissions - Simple	222.84466434800015			
🔗 Final Excess Emissions - Complex	222.84466434800015			

ARTICLE 320 PENALTIES

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LL97 PENALTIES

Article 320 Annual Emissions Limits 30,000 buildings	Article 321 One-Time Compliance 11,500 buildings	(Not Enforced by DOB) Portfolio-Wide Reduction 5,500 buildings
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*Adjustments available for hospitals, nonprofits, buildings with legal/physical constraints/financial hardship.

ARTICLE 320 PENALTIES

- Penalties may be issued by DOB for the following reasons:
 - Failure to file an annual emissions report (*N.Y.C. Admin. Code § 28-320.3.7*);
 - Failure to comply with emissions limits (*N.Y.C. Admin. Code § 28-320.3*); and
 - Filing false statements (*N.Y.C. Admin. Code § 28-320.6.3*).
- Article 320 of Chapter 3 of Title 28 of the New York City Administrative Code, and
- Section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York (*1 RCNY §103-14*)

ARTICLE 320 PENALTIES

■ File by the Deadline

- May 1st of each year (*N.Y.C. Admin. Code § 28-320.3.7; 1 RCNY §103-14(g)*)

- Grace period: No penalties will be issued if the report is filed within 60 days of May 1 (*N.Y.C. Admin. Code § 28-320.6.2; 1 RCNY §103-14(g)*)

- Extensions may be granted by DOB (*N.Y.C. Admin. Code § 28-320.3.7; 1 RCNY §103-14(g)*)

■ Meet Annual Emissions Limit

- Shows compliance with the emissions limit; or

- Not in compliance with the emissions limits **AND** the amount in excess

ARTICLE 320 PENALTIES

- **Penalty for Failure to File Annual Emissions Report**

- “Such penalty shall be an amount equal to the **gross floor area** of such building, multiplied by **\$0.50**, for each month such report is not submitted within the 12 months following May 1 of each year, including the 60 days following the deadline.”

Gross Floor Area [sf]	Multiplier (\$)	Penalty / month
25,000	.5	\$12,500.00

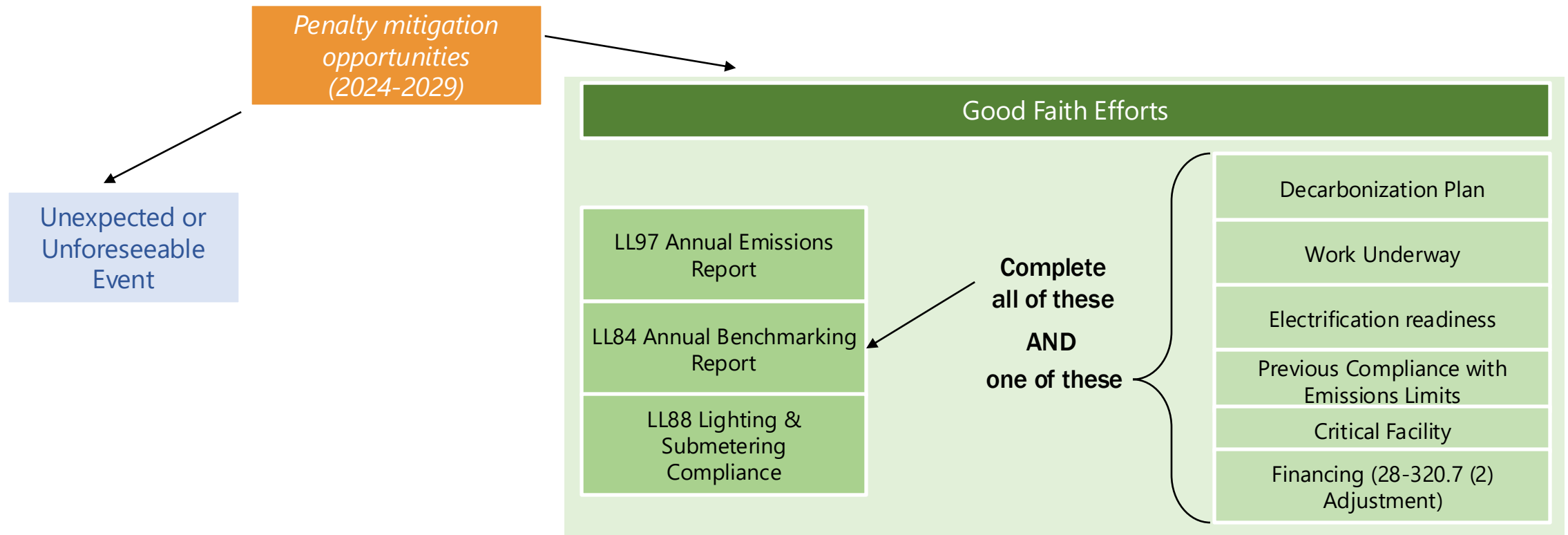
ARTICLE 320 PENALTIES

- Penalty for Failure to Comply with Emissions Limits
 - “Such penalty shall be an amount equal to the difference between **the building emissions limit** established for a calendar year and **the actual emissions** reported for such calendar year in the building emissions report, **multiplied by \$268.**”

2024 Annual Emission [tCO ₂ e]	2024 Emissions Limit [tCO ₂ e]	Difference Between Actual Emissions and Emissions Limit	Multiplier (\$)	Penalty
1371.53	1148.68	222.85	268	\$59,723.80

ARTICLE 320 PENALTIES

- A building owner not in compliance with emission limits may be eligible for a mitigated penalty based on mitigating factors such as **an unexpected or unforeseeable event** (e.g., damage from a disaster like a hurricane, severe flooding, or fire) or demonstrated **good-faith efforts** (1 RCNY § 103-14(i))



ARTICLE 320 PENALTIES

Mediated Resolution

- A formal agreement between the building owner and DOB
- May be offered when mitigation criteria are not fully met, additional steps or ongoing oversight is needed
- The penalty is waived, in whole or in part, contingent upon the owner's compliance with the terms of the agreement
- Failure to comply with agreement terms may result in **back penalties** for previously waived years



DOB ENFORCEMENT PROCESS

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DOB ENFORCEMENT PROCESS

■ Notice of Deficiency

- Identifies the NOD (Number and Issuance Date)
- Identifies the owner
- Identifies the premises (borough-block-lot, building identification number, address)
- Identifies the legal basis
- Description of how the penalty is calculated
- Identifies the potential penalty amount
- Instructions for how to resolve the deficiency
- Notice that no action within a set amount of days of the Notice Date could escalate the matter to OATH for civil penalty recovery

DOB ENFORCEMENT PROCESS

- NOD for Failure to File, options for resolving
 - Correct
 - Resolve with **zero penalty** by submitting an extension request and the annual emissions report
 - **Pay**
 - **Indicate intention to resolve with payment of the civil penalty by submitting Ticket # 17 on the LL97 Reporting Platform (BEAM)**
 - Challenge
 - Challenge the issuance of the NOD by submitting Ticket # 17 on the LL97 Reporting Platform (BEAM)
- Steps must be taken within **60 days** of the Notice Date

NOTICE OF DEFICIENCY

Failure to File Annual Building Emissions Report

THIS IS NOT A VIOLATION

Notice Date: {Issuance_Date}

{Owner_Name}
{Owner_Business_Name}
{Owner_Address}
{Owner_City_State_Zip}

NOD Number: {Violation_Number}

Premises: {Premises_Address}
BIN: {BIN}
BBL: {BBL}

The NYC Department of Buildings ("DOB") has determined that the subject premises has failed to file an Annual Building Emissions Report as required by NYC Administrative Code §28-320.3.7 in accordance with 1 RCNY §103-14 (Local Law 97 of 2019 as amended, "LL97"). You may remedy this deficiency as described herein within 60 days of the Notice Date and avoid penalty assessment. All inquiries related to this notice should be emailed to sustainability-enforcement@buildings.nyc.gov with subject line "NOD Number and BBL," as applicable.

Provision of Law: NYC Administrative Code §28-320.3.7

POTENTIAL CIVIL PENALTY:

Failure to file an Annual Building Emissions Report for the {Applicable Year} calendar year within 60 days of the Notice Date may subject you to a civil penalty in an amount equal to the gross floor area of the building, multiplied by \$0.50, per month. The monthly civil penalty amount for each month to be assessed for the above referenced building(s) for failure to file an Annual Building Emissions Report for the {Applicable Year} calendar year is {INSERT PENALTY AMOUNT}.

Note that you may be subject to such penalty for each month the report is not submitted within the 12 months following May 1st of such calendar year.

HOW TO RESOLVE THIS DEFICIENCY:

CORRECT: This deficiency may be resolved with zero penalty by submission of both an extension request and the Annual Building Emissions Report within 60 days of the Notice Date. For more information on the LL97 reporting process, visit nyc.gov/LL97.

PAY: This deficiency may be resolved by payment of the civil penalty. To resolve by payment, Ticket #17 must be submitted in the LL97 Reporting Portal (BEAM). ***Please note that while payment will resolve this deficiency, civil penalties will continue to accrue and further notices of deficiency may be issued if the Annual Building Emissions Report is not filed.*

CHALLENGE: This deficiency may be resolved by specific challenges approved by DOB. To resolve by specific challenge, submit Ticket #17 in the LL97 Reporting Portal (BEAM). The list of specific challenges is described further in Ticket #17.

IF NONE OF THE ABOVE STEPS ARE TAKEN WITHIN 60 DAYS OF THE NOTICE DATE, DOB MAY COMMENCE A PROCEEDING BEFORE THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS ("OATH") TO RECOVER THE CIVIL PENALTY.

DOB ENFORCEMENT PROCESS

- NOD for Over Emissions Limits, options for resolving
 - Correct
 - Purchase offsets to cover all or part of the deficiency
 - Pay
 - Indicate intention to resolve with payment of the civil penalty by submitting Ticket # 17 on the LL97 Reporting Platform (BEAM)
 - Challenge
 - Challenge the issuance of the NOD by submitting Ticket # 17 on the LL97 Reporting Platform (BEAM)
- Steps must be taken within **30 days** of the Notice Date

NOTICE OF DEFICIENCY

Failure to Comply with Annual Emissions Limit

THIS IS NOT A VIOLATION

Notice Date: [Issuance_Date]

[Owner_Name]
[Owner_Business_Name]
[Owner_Address]
[Owner_City_State_Zip]

NOD Number: [Violation_Number]

Premises: [Premises_Address]
BIN: [BIN]
BBL: [BBL]

The NYC Department of Buildings ("DOB") has determined, pursuant to the Annual Buildings Emission Report filed for the above referenced premises in accordance with 1 RCNY §103-14 (Local Law 97 of 2019 as amended, "LL97"), that the reported emissions of the subject premises exceeded the Annual Emissions Limit as set forth in NYC Administrative Code §28-320.3. You may remedy this deficiency as described herein within 30 days of the Notice Date.

All inquiries related to this notice should be emailed to sustainability-enforcement@buildings.nyc.gov with the subject line "NOD Number and BBL" as applicable.

For essential information and guidance on increasing a building's energy efficiency and achieving compliance with LL97, please visit the NYC Accelerator website at <https://accelerator.nyc/>.

Provision of Law: NYC Administrative Code §28-320.3

POTENTIAL CIVIL PENALTY:

Failure to Comply with Annual Emissions Limit may subject you to a civil penalty in an amount equal to the difference between the building emissions limit and the actual emissions reported, multiplied by \$268. As of the Notice Date, the civil penalty amount to be assessed for the above referenced building(s) for Failure to Comply with Annual Emissions Limit for the [Applicable_Year] calendar year is [INSERT_PENALTY_AMOUNT].

HOW TO RESOLVE THIS DEFICIENCY:

CORRECT: This deficiency may be resolved, in whole or in part, by purchasing offsets from the Affordable Housing Reinvestment Fund ("AHRF") for up to 10% of the building's annual emissions limit. To resolve by AHRF offset purchase, email sustainability-enforcement@buildings.nyc.gov with "NOD Number and BBL – Offset Purchase" in the subject line within 30 days of the Notice Date for purchase instructions.

PAY: This deficiency may be resolved by payment of the civil penalty. To resolve by payment, submit Ticket #17 in the LL97 Reporting Portal (BEAM) within 30 days of the Notice Date for payment instructions. *Please note an AHRF offset purchase may be combined with civil penalty payment to resolve remaining deficiencies.*

CHALLENGE: This deficiency may be resolved by specific challenges approved by DOB. To resolve by specific challenge, submit Ticket #17 in the LL97 Reporting Portal (BEAM) within 30 days of the Notice Date. The list of specific challenges is described further in Ticket #17.

IF NONE OF THE ABOVE STEPS ARE TAKEN WITHIN 30 DAYS OF THE NOTICE DATE, DOB MAY COMMENCE A PROCEEDING BEFORE THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS ("OATH") TO RECOVER THE CIVIL PENALTY.

17. Enforcement Response Ticket

The "Enforcement Response Ticket" may be used to indicate how a building owner would like to respond to an enforcement action.

A complete "Enforcement Response Ticket" must include all of the following:

1. Building address, Borough-Block-Lot (BBL) and Building Identification Number (BIN) as it appears on your enforcement action.
2. Notice Number or Violation Number.
3. Responses to all questions required below to identify the type of response to the enforcement action.

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 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 CBL.

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

Notice Number or Violation Number*

Type of Deficiency*

Resolve Deficiency*

CORRECT: This deficiency may be resolved with zero penalty by submission of both an [extension request](#) and the [Annual Building Emissions Report](#) within 60 days of the Notice Date. For more information on the LL97 reporting process, visit nyc.gov/LL97.

PAY: This deficiency may be resolved by payment of the civil penalty. To resolve by payment, Ticket #17 must be submitted in the LL97 Reporting Portal (BEAM). Please note that while payment will resolve this deficiency, civil penalties will continue to accrue and further notices of deficiency may be issued if the Annual Building Emissions Report is not filed.

CHALLENGE: This deficiency may be resolved by specific challenges approved by DOB.

Please provide an explanation of your response.*

Please provide any additional documentation supporting your response, if applicable.

No file chosen

Please provide any additional documentation supporting your response, if applicable.

No file chosen

Please provide any additional documentation supporting your response, if applicable.

No file chosen

Case owner

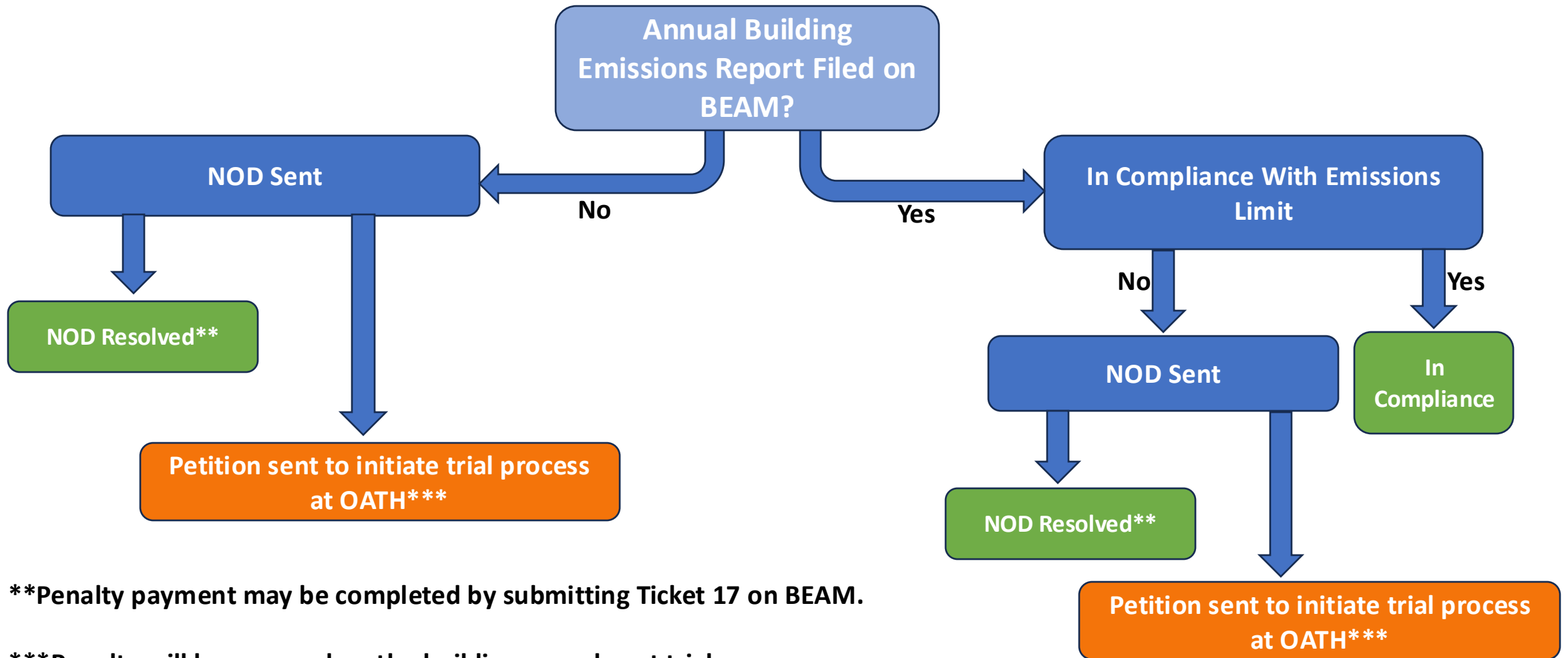
If you select an owner other than yourself, they'll be e-mailed details of this ticket immediately.

DOB ENFORCEMENT PROCESS

■ Trial

- Petition is served upon building owner stating the charges and specifications to be presented
- Pursuant to OATH Rules of Practice, Chapter I, Sub-chapter § 1-22 and Sub-chapter § 1-23

DOB ENFORCEMENT PROCESS



**Penalty payment may be completed by submitting Ticket 17 on BEAM.

***Penalty will be assessed on the building record post trial.

LL97 COMPLIANCE RULES & RESOURCES

■ [Article 320](#)

– [Rule 103-14](#)

- Guidance on how to calculate and report emissions
- Penalty Framework
 - Penalties for non-compliance
 - Mitigation, good faith efforts, mediated resolutions

– [Article 320 Information Guide](#)

■ [Article 321](#)

– [Rule 103-17](#)

- Guidance for inspection and documentation of Prescriptive Energy Conservation Measures
- Penalties for non-compliance

– [Article 321 Filing Guide](#) ([Templates](#) & [Template Instructions](#))



QUESTIONS

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