

FREQUENTLY ASKED QUESTIONS

Determination Requests & Fees

Q1. Do all appeals of a plan examiner's affirmation on DOB interpretation of a specific issue require a determination (CCD1 or ZRD1)?

A. No, you must first request a second plan examination review, which is covered by the application filing fee and does not require additional fees – see the [Fact Sheet](#) for how to request a second plan examination review.

When a borough office rejects a second review request of a plan examination objection, the applicant may either revise the plans or submit a Determination request (CCD1 or ZRD1) to appeal the affirmation of an objection.

Q2. What is the process when a second review is rejected and a CCD1 or ZRD1 is required?

A. Include the 'rejected' second review (AI1 form) of plan examination objections, attach a copy of the invoice of fees paid, and submit the completed determination request (CCD1 or ZRD1) see the Requesting a Determination section of the [Fact Sheet](#).

Q3. When an examiner asks for *Borough Commissioner Approval* for design layout (i.e. double height space, attended parking, three plumbing fixtures in cellar or a questionable layout) or project cost, will that require a determination with the new fee to be paid or can we just use an AI1 form?

A. A determination is not required. The applicant may request a second plan examination review from the appropriate borough office by submitting an AI1 form – see [Fact Sheet](#).

Q4. Can applicant schedule an appointment with the Borough Commissioner or Deputy Borough Commissioner before submitting a Determination?

A. No, the opportunity to speak to the borough office is during the second review of plan examination process. If the borough office rejects a second review request, the applicant may revise the plans or submit a Determination request to appeal the affirmation of an objection.

Q5. Where do I pay the fee for CCD1 of ZRD1 requests?

A. Submit payment to the Borough Office where the job is located.

Q6. Is a determination (CCD1 or ZRD1) fee required if the project is fee-exempt?

A. No. A project that is fee-exempt per §28-112.1 of the NYC Administrative Code will not be assessed additional determination fees.

Q7. For one, two and three family residences, exempt under the rule, are accessory structures, which are not specifically mentioned as exclusions, such as detached garages, cabanas, etc., exempt from determination fees?

A. Yes.

Q8. What is the time frame for processing a Determination request?

A. The service level for review of all determination requests is 10 Business Days.

Q9. Will 'paid' CCD1s and ZRD1s take precedent over 'free' fee-exempt CCD1s and ZRD1s?

A. No.

Q10. Will 'paid' determinations be made available to public?

A. For jobs submitted in eFiling or on paper, approved Determinations associated with a specific job will be posted to the Virtual Job Folder in BIS. For DOB NOW jobs, the applicant will upload Determinations in the Documents section that is viewable in the DOB NOW Public Portal. Determinations that are not specific to a job may be uploaded by the applicant if they proceed with filing the job.