## Preservation Design Guidelines Frequently Asked Questions (FAQ)

This FAQ provides questions and answers related to HPD's Preservation Design Guidelines (Moderate (Mod), Substantial (Sub), and Gut Rehabs). Have more questions? Reach out to HPD Sustainability at greencommunities@hpd.nyc.gov.

1. *What do the Design Guidelines cover?*

The Design Guidelines cover sustainability, energy efficiency, resiliency, health & wellness, and broadband but are not exhaustive of every scope item that might be necessary for a moderate or substantial/gut rehab project and do not address structural and life-safety issues. Non-Design Guidelines scope items required by the IPNA, or other existing conditions report, must be included in the scope of work. See page 10 of the Design Guidelines for further information about which items in the IPNA must be included in the scope.

2. *How do I know if my project is a Mod Rehab, a Sub Rehab, a Gut Rehab, or a project that does not meet the Mod Rehab Threshold?*

HPD's Rehab Classifications can be found on HPD's website. If a project is maintenance only or "affects" only one building system, it does not meet the Mod Rehab threshold. If projects are unsure of their classification, a pre-scoping meeting should be scheduled to clarify the scope and classification.

3. *The guidelines define Mod Rehabs as having a scope that "affects 2 or more systems." What does that mean?*

The guidelines note that a Mod Rehab is any project "that contains a scope that affects 2 or more systems (e.g., heating*, plumbing, electric, roof, windows, façade) but not meeting the definition of Sub Rehab. This may include replacement or refurbishment of building systems, equipment, or fixtures, but must include work that is capitally eligible."
For the purposes of defining Mod Rehabs, "affecting" a system would include "replacement" or "refurbishment" of at least 50% of the components, equipment, or fixtures in a building system (e.g., heating system, envelope system, structural system) or a sub-system (e.g., heating distribution system, windows, flooring system). Note that for tax exemption-only projects, the threshold for Design Guidelines compliance is replacement (rather than simply refurbishment) of 2 or more systems or sub-systems.

Examples of Replacement:

1. Replacement of boiler or hot water heater
2. Replacement of > 50% of PTACs

3. Replacement of > 50% of a heating distribution system
4. Replacement > 50% of roofing
5. Replacement of > 50% of wall insulation or windows, installation of new wall insulation of > 50% of the wall area
6. Replacement of > 50% of plumbing or electrical fixtures (excluding aerators, shower heads, and bulb-only replacements)
7. Installation of a new ventilation system or replacement of > 50% of ventilation fans

Examples of Refurbishment:

- Building-wide upgrades to the heating distribution system (steam traps, TRVs, master venting)
- Clean/seal/balance existing ventilation systems
- New roofing layer
- Repointing of façade
- Electrical service upgrade

Examples of items that do not trigger the definition of Mod Rehab on their own:
- Boiler clean & tune
- Plumbing leak repairs
- Tank insulation
- Installation of faucet aerators or shower heads
- Installation of light bulbs
- Air-sealing
- Minor roof repairs
- Skylight replacement
- Work on < 50% of a building sub-system.

4. *If my project does not meet the threshold of a Mod Rehab, what do I have to comply with?*

These projects need to comply with the applicable sections in the Guidelines (e.g. if scope includes windows, the windows must comply with the Design Guidelines performance requirement), and do not need to retain an architect or participate in a Pre-Scoping or a Design Consultation. These projects must submit the Design Guidelines Workbook with the applicable sections filled out to their PM, and all projects over 25,000 SF are expected to do the necessary work to comply with the applicable requirements of Local Law 97. Projects may refer to the HPD LL97 Prescriptive Measures Checklist.

5.  *If my project is a tax exemption-only deal, what do I have to comply with?*

Tax exemption-only deals, including those considered Mod Rehabs and those that do not meet the threshold of a Mod Rehab, do not have to retain an architect or participate in a Pre-Scoping or Design Consultation. However, these exemption-only deals must comply with the applicable sections in the Design Guidelines or BLDS Specs and attest to complying with relevant guidelines in the Housing Repair Agreement (HRA).
In addition, if a tax exemption deal meets the threshold of replacing two building systems, as noted above in question 3, they also need to submit the Design Guidelines Workbook with applicable sections filled out to their HPD PM. The workbook needs to be submitted after Program sends the owner a list of required items and again (with owner signatures) when it is final as part of closing. The workbook will be reviewed by the HPD PM.
Tax exemption-only deals that meet the definition of a Sub Rehab must comply with the full Design Guidelines process for Sub/Gut Rehabs as detailed in the [applicable webpage](#).
*Note*: All tax exemption-only deals, regardless of classification, need to submit a [Solar Where Feasible](#) analysis per HPD requirements.


6.  *If my project is a tax exemption-only deal and I need a Design Waiver, what should I do?*

Design Waivers for tax exemption only deals should be sent to the PM who will determine, with HPD Sustainability as applicable, whether the waiver should be allowed.

7.  *Is HPD Benchmarking Protocol required for tax exemption-only deals?*

No, but owners of buildings > 25,000 SF must benchmark for Local Law 84.


8.  *The Design Guidelines describe pre-design consultations or design consultations as optional, but the process guides for Mod and Sub/Gut Rehabs describe these consultations differently. Which is correct?*

The processes as described in the applicable webpages are correct. Pre-Scoping consultations are mandatory for Mod rehab projects. The Design Consultations are mandatory for Mod, Sub, and Gut rehab projects. For projects that do not meet the Mod Rehab threshold consultations are optional at the request of the sponsor or HPD PM. Pre-Scoping Consultations are meant to provide early and holistic feedback on projects before scoping takes place. Design Consultations are meant to provide feedback on draft SOWs and drawings at a time that projects have a strong sense of their anticipated scopes and budgets. If any project has questions earlier in the

process, they may email HPD Sustainability at greencommunities@hpd.nyc.gov.

9. *The Design Guidelines do not mandate the retention of a Registered Architect/ Engineer, but the webpage does. Which is accurate?*

The webpage is accurate. A Registered Architect/Engineer is required for projects that meet the threshold of a Mod, Sub, or Gut Rehab project.

10. *What is the difference between the Design Guidelines and the BLDS specifications?*

These are complimentary documents. Development teams can use the specifications to find more granular information to help develop their scope of work.

11. *Are BLDS site inspections required at any point in the process?*

BLDS Site inspections are not required. It is the architect or engineer's responsibility to inspect and confirm that the IPNA or other existing building conditions report is accurate.

12. *How does the Emergency Waiver process align with the Design Guidelines?*

To the extent possible, emergency repairs should follow the requirements outlined in the guidelines. However, we understand that this is not possible for certain urgent emergency repair needs. If your project has requested/received an Emergency Waiver, please discuss the waiver during the Pre-Scoping or Design Consultation.

13. *Who will review non-Sustainability scope items?*

Non-sustainability scope items identified in the IPNA should be part of the scope of work based on the guidance outlined in the guidelines.
Registered Architects/Engineers and/or Owners will need to certify that their SOW includes these items. If the Architect/Engineer has a justification for items that cannot be included, or items being recommended that were not identified in the IPNA, they should flag these for discussion. For projects identified to have a full BLDS Review, BLDS will review against guidelines checklist items, IPNA, and other relevant reports per the submission checklist.

14. *Are Mitchell-Lamas projects required to comply with the Design Guidelines?*

Mitchell-Lama projects must comply with the Design Guidelines and will follow the regular process according to their rehab classification. The only difference is that Mitchell-Lama projects will need to bid their scopes to at least three General Contractors (GCs). The Registered Architect/Engineer will submit to HPD Program the three bids, including the consultant's preferred selection.

15. How many unique IPNA reports are required for cluster (multi–building) projects?

Please see the Minimum Sampling Requirement within the [IPNA Standard](#). HPD strongly encourages building owners to inspect the common areas of all buildings in a project to ensure that life safety and other critical needs are identified. The sampling requirements may change in the future.

16. Are there requirements about how long an IPNA is valid?

Per the Guidelines, an IPNA must be less than 2 years old at the point of application to HPD, unless otherwise extended by HPD Program Director or Executive Director.

17. Are IPNAs required for tax exemption only deals?

Yes. HUD Multi–Family Projects conducting a Capital Needs Assessment do not need to obtain an IPNA. However, they must submit additional relevant NYC tabs, including the 'LL97 Compliance' and 'Flood & Heat Hazard Exposure' tabs. The tabs may be filled out by the Owner, Architect or Engineer in lieu of the original IPNA provider. These standalone tabs can be found on [NYSERDA's IPNA webpage.](#)

18. The IPNA includes a requirement to submit the solar feasibility analysis. HPD's process webpage indicates it is required after the Pre–Scoping Consultation. Which is correct?

The IPNA requirement predates HPD's Design Guidelines and recent process changes. Solar screenings are still required as part of a project's IPNA if the IPNA indicates a roof replacement or significant roof work. This is a preliminary screening for budgeting purposes and will suffice if accurate. The project architect should submit an updated Solar Feasibility Analysis to ensure accuracy and reflect any changes to the scope or design. HPD's non–profit partner Solar One can help architects with the feasibility analysis, optimizing solar designs and integrating solar into their scopes. More information can be found on [HPD's Solar webpage](#).

19. Who is supposed to fill out the Design Guidelines Workbook?

The Workbook should be filled out by the Owner, Architect, and/or Engineer and submitted according to the process milestones.

20. Are there any exceptions to conducting the Aging in Place (AIP) resident survey prior to the Design Consultation?

If there is a site acquisition and/or the Owner does not have sufficient access or communication channels with the tenants to conduct the survey at this point in time, then the AIP survey may be delayed if approved by the HPD PM.

21. *Are there examples of what is considered in-unit work that would trigger Section 504/UFAS compliance?*

When the following conditions are met then the entire unit needs to comply:

- renovation of whole kitchens, or at least replacement of kitchen cabinets; and
- renovation of the bathroom, if at least bathtub or shower is replaced or added, or a toilet and flooring is replaced; and
- replacement of entrance door jambs.

When the entire unit is not being altered, 100% of the single elements being altered must be made accessible.
If questions remain, project teams can discuss their Section 504/UFAS requirements during their Pre-Scoping and/or Design Consultations.
*Note:* If Section 504 compliance is required it will typically trigger a BLDS review (unless an Accessibility Consultant is obtained).

22. *If there is no in-unit work being proposed, can owners comply with in-unit criteria, including Energy Efficiency and Water Conservation (EEWC) at the time of tenant turnover?*

Most items in the guidelines are triggered if an item is being replaced (e.g., windows, lighting). For items not triggered by a replacement (e.g. air-sealing), and no in-unit work is being implemented in a given unit, the work in that unit can be completed at the time of tenant turnover. However, for buildings following the Prescriptive Pathway of Local Law 97, in unit work may be required for compliance and can't wait until tenant turnover.

23. *Which criteria can be waived through the Design Guidelines Waiver Process?*

The Design Guidelines and the Workbook clearly denote which items may be waived. If you have questions regarding waivers, please email HPD Sustainability at greencommunities@hpd.nyc.gov. If a project cannot comply with a criterion that does not allow a Waiver, they should be prepared to discuss the item at the Pre-Scoping or Design Consultation and justify why the criteria can't be achieved.

24. *Where can I find the Design Waivers and how can I submit them?*

Design Waivers are a tab in the Design Guidelines Workbook. Design Waivers should be submitted prior to the Design Consultation Submission by emailing the Workbook to greencommunities@hpd.nyc.gov. For this request, fill out the Intake and Design Waiver tabs.

25. *How can project teams show compliance for broadband?*

Broadband costs should be embedded in the underwriting model of the project. If applicable, projects can show broadband plans in other scoping documents.

### 26. What types of common spaces require broadband?

Only large lobbies, common rooms, and shared outdoor spaces designed for gathering (e.g., roof terraces) require broadband. Common spaces like vestibules, doorways, small lobbies, or other common areas where multiple people cannot easily sit or stand to access the internet service do *not* require broadband. For more information on Broadband [see this webpage.](#)