

SERVICE UPDATE

Local Law 87 of 2009: Filing for an Energy Efficiency Report Deferral

Local Law 87 of 2009 allows building owners otherwise required to submit an Energy Efficiency Report (EER) by December 31 to defer their filing. The deadline to file the [Application to Defer Filing an Energy Efficiency Report](#) is December 31.

Deferrals are permitted when an applicant can demonstrate that the property meets current New York City Energy Conservation Code (NYCECC) requirements.

Eligibility for a Deferral Extension

To be eligible for a deferral, a building must meet one of the following qualifications:

1. The building is **less than 10 years old** (at the commencement of the first calendar year it is due to comply) and **all base building systems comply** with the NYCECC; *or*
2. The building has undergone **substantial rehabilitation** (as certified by a registered design professional) **within the ten year period prior to the assigned calendar year** in which the report is due. At the start of such calendar year, **all base building systems must be in compliance** with the NYCECC in effect for new buildings constructed on or after July 1, 2010 or in effect on the date of such substantial rehabilitation, whichever is later.

How to Apply to Defer Filing

- Visit the [LL87 webpage](#) on the Department of Buildings website.
- Fill in the form [EER1 - Application to Defer Filing an Energy Efficiency Report](#).
- Sign, scan and email the EER1 LL87@buildings.nyc.gov, with documentation proving that the base building systems comply with the NYCECC.
- Proof of compliance with the Energy Code can be provided the procedures outlined in the [Energy Analysis How to Guide](#). Also, please see the [Professional Statement](#) webpage for more information.
- The Department will email you when the application has been received and will send payment instructions.

For more information on [LL87/09](#), visit the Sustainability section of the Department's website at nyc.gov/buildings. Email questions to LL87Questions@buildings.nyc.gov.

Bill de Blasio, Mayor
Rick Chandler, PE, Commissioner

LL87Questions@buildings.nyc.gov
nyc.gov/buildings