

LL97 covered buildings[†] with rent regulated and/or affordable units must follow one of the pathways below:

Article 321: The Prescriptive Pathway

If building includes any of the following:

- > 35% of units subject to rent regulation (regardless of any income restrictions), OR
- Is an HDFC co-op (not a rental), OR
- Has 1+ units that participate in a federal project-based housing program (e.g., Section 8, Section 202, Section 811, or CoC), OR
- Participates in NYCHA PACT



The building must:

- Demonstrate that emissions are below the applicable 2030 limits, OR
- Show that applicable [Prescriptive Energy Conservation Measures](#) have been fully implemented

And file a one-time report by May 2025¹

1. Note that [new rules](#) allow buildings additional time to comply if they can demonstrate progress

*Further information is available here: [§28-321](#)

Article 320: The 2026 Pathway

If building :

- Has 1+ rent regulated units and no more than 35% of units subject to rent regulation AND
- Does not have any units with income-restriction as defined under the 2035 Pathway



The building must:

- Meet emission limits starting in 2026, or face penalties of \$268 per ton of carbon for exceeding the limits

And file annual reports starting May 2027*

*Further information is available here: [§28-320.3.10.1](#)

Article 320: The 2035 Pathway

If building:

- Is a Mitchell-Lama with no units that participate in a federal project-based housing program, OR
- Has $\leq 35\%$ ¹ rent regulated units and has 1+ units that are income restricted through certain* loans, grants, real property tax benefits (e.g., 420-c, Article XI, UDAAP), or property disposition programs

Units with an income restriction imposed solely through the Zoning Resolution (e.g., Inclusionary Housing programs) do not count as "income restricted" for the purposes of this path.



The building must:

- Meet emission limits starting in 2035, or face penalties of \$268 per ton of carbon for exceeding the limits

And file annual reports starting May 2036*

1. Revised in 2024 clarify criteria for the 2035 pathway

*Further information is available here: [§28-320.3.9](#)

[†]LL97 generally covers, with some exceptions: buildings that exceeds 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.