Sustainability Enforcement Unit
280 Broadway, 3rd Floor
New York, New York 10007

Local Law 84/2009—Benchmarking Violation Challenge Form

Department of Finance records demonstrate that you are the owner of a "covered building" as per NYC ADMINISTRATIVE CODE §28-309.2 and that you failed to submit the total energy usage of your covered building to the City of New York as referenced on the violation that was served upon you.

If any of the reasons listed below for challenging this violation are applicable, please e-mail this completed form, along with supporting documentation, to sustainability@buildings.nyc.gov with "Benchmark Violation Challenge " on the subject heading.

An electronic submission with attached evidence is required to remove this violation.
You must submit your challenge within 30 days of the mailing of the violation.

Violation #: | | | | | | | B | E | N | C | H | | | | | |

Premises: _____

Borough/Block/Lot: _____

BIN: _____

I am in receipt of the above Department of Buildings violation for failure to comply with NYC ADMINISTRATIVE CODE §28-309.4 (Local Law 84 of 2009) – "Benchmarking." I challenge this violation, with supporting documentation, based on the following:

[ ] **Proof of timely Benchmarking- you must forward the confirmation e-mail from ENERGYSTAR that includes a date-stamped copy of the data released to the City AND the data attachment from that e-mail;**

[ ] **Proof that the building was demolished, or was a new building with an NB permit and no Temporary Certificate of Occupancy – you must include permitting and Certificate of Occupancy information from BIS;**

[ ] **Proof of change in ownership as indicated on a recorded deed signifying new ownership during the year in question– you must attach a copy of the recorded deed when submitting a challenge;**

[ ] **I have contacted the Department of Finance (at benchmarking@finance.nyc.gov) and obtained proof from them**

that the tax lot is below the square footage requirement for Benchmarking, or otherwise not covered by LL84

that a wrong or exempt party was named in the violation (except in case of sale with recorded deed, see above);

YOU MUST CONTACT THE DEPARTMENT OF FINANCE FIRST before submitting either of these challenges.

[ ] **Other reason for challenge– please describe briefly below as well as providing any additional information:**

_____

_____

_____ _____

Signature of owner or managing agent **Name (Please Print)**

_____ _____

Phone Number **E-mail Address**