

# FREQUENTLY ASKED QUESTIONS

## Local Law 33/18 as Amended by Local Law 95/19

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### Requirements

**Q1. What is required to comply with Local Law 33 of 2018?**

A1. To comply with Local Law 33/18, the energy and water consumption of a building must be benchmarked annually by May 1. The energy efficiency score and grade that is obtained and assigned based on benchmarking reporting, must be disclosed in the form of a **Building Energy Efficiency Rating label** by displaying it annually within 30 days after October 1st in a conspicuous location near each public entrance to the building until October 1st of the following year.

**Q2. What happens if a building owner fails to submit a benchmarking report on time?**

A2. Buildings, for which required benchmarking information was not submitted on time, will be assigned an “F” grade in the form of the Building Energy Efficiency Rating Label. The label with an “F” grade must be displayed within 30 days after October 1st in a conspicuous location near each public entrance to such building until October 1st of the following year.

### Building Energy Efficiency Rating Label

**Q1. What is the required file format needed to download the label?**

A1. A printed 8½” x 11” paper label is acceptable.

**Q2. Is there a limit for the number of copies?**

A2. No, you may print as many copies as needed.

**Q3. Does the label have to be in color, laminated or framed?**

A3. The label may be printed in color (highly recommended) or in gray scale. Framing/laminating the label is suggested, but not required, as long as all information included in the label is clearly visible for the entire year.

**Q4. Are there any specific requirements in terms of where the label has to be displayed?**

A4. Once printed, the label must be displayed either externally or internally in a conspicuous location near each public entrance, so it is visible to public. The label must be at a vertical height no less than four feet and no more than six feet from the ground or floor. The label must not be defaced, marred, camouflaged or hidden from public view. The label must be displayed year-round and replaced each year with the latest issued version.

### Where to Obtain the Label

**Q1. Is the label automatically mailed to the building owner from the City or is it available online for download?**

A1. The label is not automatically mailed, an owner or owner's representative must access it thru the [DOB NOW Public Portal](#), download and print for posting.

**Q2. Where is the Building Energy Efficiency Rating label made available and how is it downloaded?**

A2. Retrieve the label by visiting the DOB NOW Public Portal and following these steps:

1. Look for a new tab for building efficiency scores on the Public Portal of DOB NOW, under the device search and before Licensee search.
2. Search by Borough, Block and Lot (all required fields).
3. If a lot number exists, a list of BINs with corresponding addresses will be listed in rows. If not, an error message will be displayed.
4. A button/ link to download the label will be displayed next to each row with specific BIN/Address.
5. Once a user clicks on one of the buttons/links, they will get to a new screen where they will have to enter their information and sign the attestations (by checking a box).
6. Once the user clicks submit, the label will be displayed and available for downloading and printing

### Timeline

**Q1. When will the Building Energy Efficiency Rating Label be available?**

A1. The label will be available for building owners to download, print, and display on October 1 of each year.

**Q2. When is a deadline to print and display the label?**

A2. 30 days after October 1

### Fees

**Q1. What is the penalty for failure to display the Building Energy Efficiency Rating Label by the deadline?**

A1. DOB violation and a fine of \$1,250

Applicability**Q1. Who must comply with this law?**

A1. Owners of properties that are listed on the Covered Buildings List for benchmarking compliance as per Department of Finance records.

**Q2. Which property types are eligible for an ENERGY STAR score?**

A2. ENERGY STAR 1-100 score eligibility:

- Barracks
- Data center
- Hospital (general medical and surgical) (eligible to receive the ENERGY STAR 1-100 score at the campus level)
- Hotel (eligible to receive the ENERGY STAR 1-100 score at the campus level)
- K-12 school (eligible to receive the ENERGY STAR 1-100 score at the campus level)
- Medical office
- Multifamily housing (eligible to receive the ENERGY STAR 1-100 score at the campus level)
- Office (covers office, bank branch, financial office, and courthouse)
- Residence hall/ dormitory
- Retail store (covers retail and wholesale club/supercenter)
- Senior care community (eligible to receive the ENERGY STAR 1-100 score at the campus level)
- Supermarket/grocery store
- Warehouse (covers distribution center, non-refrigerated warehouse, and refrigerated warehouse)
- Wastewater treatment plant
- Worship facility

**Q3. Why isn't my property generating an ENERGY STAR score?**

A3. Click on the 'Not currently eligible for Energy Star Certification' button with the Energy Star logo for an explanation as to why your property isn't generating a score. Follow the recommended suggestions if applicable.

**Q4. My property is a campus where the buildings share utilities. I have different scores for the child properties and the parent property. Will I be assigned a letter grade for each building?**

A4. If the benchmarking data was submitted as a campus and the property type is eligible to receive the ENERGY STAR 1-100 score at the campus level, the parent property will generate a score. The scores shown for child properties will not be taken into account as child properties in the campus structure may not reflect the energy consumption data for the entire building due to shared systems. Property types that are eligible to receive the ENERGY STAR 1-100 score at the campus level will receive one grade associated with the score assigned to the parent.

**Q5. There are multiple buildings on my lot. How many labels will I receive?**

A5. Multiple buildings on one lot will receive one campus grade if the benchmarking data was submitted as a campus and the property type is eligible to receive the ENERGY STAR 1-100 score at the campus level, or the same grade for each building on the lot if the benchmarking data was submitted aggregated across all buildings in one report as a standalone property. In both scenarios the assigned label will be generated for each building on the lot and must be printed by accessing each building's property profile in the [DOB NOW Public Portal](#) and posted as required by Law. Multiple labels can be printed for buildings with more than one public entrance.

**Q6. What if my property is not eligible for an ENERGY STAR score?**

A6. Properties not eligible for an ENERGY STAR score will receive an "N" grade. "N" grade buildings (buildings exempted from benchmarking or not covered by the Energy Star program) are not subject to the posting requirement.

**Q7. What kind of property is not eligible for an ENERGY STAR score?**

A7. Buildings exempted from benchmarking or not covered by the Energy Star program:

- Multifamily buildings with less than 20 units, enclosed parking, or other property types that are not eligible to receive a 1-100 ENERGY STAR Score
- Some mixed-use buildings; a multi-use property can receive the ENERGY STAR Score, but these two conditions apply:
  - 1) seventy-five percent (75%) of the property's Gross Floor Area (GFA) must be comprised of property types that are eligible for an ENERGY STAR Score; and
  - 2) more than fifty percent (50%) of the GFA must be comprised of one eligible property type (excluding parking)
- Buildings that contain a data center, television studio, and/or trading floor that together exceed ten percent of the GFA

**Q8. Are there other exemptions?**

A8. Properties with New Build or Demolition permits and no TCO in the applicable reporting year, or properties with an ownership change in the applicable reporting year may be eligible for a temporary exemption. To request such exemption email [sustainability@buildings.nyc.gov](mailto:sustainability@buildings.nyc.gov).

Contacts**Q1. I have a question about my Building Energy Efficiency Rating – who can I contact?**

A1. Questions pertaining to your Building Energy Efficiency Rating can be addressed by the NYC Sustainability Help Center, Monday through Friday, 9:00 am to 5:00 pm. Email to [Help@NYCsustainability.org](mailto:Help@NYCsustainability.org) or call **(212) 566-5584**.

**Q2. I would like to challenge my violation – who can I contact?**

A2. If you believe that you received a violation in error, you may challenge it. The challenge forms must be sent to the Department **within 30 days** of the Notice of Violation postmark. Obtain the form at the [DOB Benchmarking and Energy Efficiency Grading webpage](#) and email it to [sustainability@buildings.nyc.gov](mailto:sustainability@buildings.nyc.gov). To follow up on a challenge, please call the **(212) 393-2574** or email [sustainability@buildings.nyc.gov](mailto:sustainability@buildings.nyc.gov).