



November 20, 2015
Notice of Violation

Rick D. Chandler, P.E.
Commissioner

NYC Department of Buildings
Sustainability Enforcement Unit
280 Broadway, 7th Floor
New York, New York 10007
nyc.gov/buildings

sustainability@buildings.nyc.gov
(212) 393-2574

**Borough/Block/Lot
Premises:
BIN:**

Violation No:

Date of Violation: 11/2/2015

DEAR 2 BROADWAY GROUND LEASE:

City of New York records demonstrate that you are in violation for failure to submit the total energy usage of your building ("Benchmark") for the **Benchmarking period 2014 (compliance deadline November 1, 2015)**, as mandated by the NYC ADMINISTRATIVE CODE §28-309.4. This information is required to be submitted annually no later than May 1. Continued failure to benchmark may result in additional violations on a **quarterly basis and an additional penalty of \$500 per quarter** with a maximum of \$2,000 per year.

For further information on benchmarking, including how to establish an account and file a report, please visit the City's Greener, Greater Buildings Plan website at www.nyc.gov/gbee.

Applicability – Covered Buildings under NYC ADMINISTRATIVE CODE §28-309.2, are, as per Department of Finance records:

- Any building greater than 50,000 gross square feet;
- Two or more buildings on the same tax lot that together exceed 100,000 gross square feet;
- Two or more buildings held in a condominium form of ownership that together are larger than 100,000 gross square feet.

To resolve this Violation, you are required to:

1. Pay the penalty for failure to file the Benchmarking Report **by mail by either certified (bank) check or money order** payable to "NYC Department of Buildings" for the penalty amount stated, as per Title 1 of the Rules of the City of New York §103-06(l) to:

NYC Department of Buildings
Sustainability Enforcement Unit
280 Broadway, 7th floor
New York, NY 10007

2. Include a copy of this violation notice.
3. Submit the current compliance year's energy benchmarking report by the next quarterly deadline to avoid another violation.

Penalty Amount: \$500.00 (in certified check or money order only)



If you believe this violation was issued in error, you are directed to:

1. Email a completed Local Law 84/2009 BENCHMARKING VIOLATION CHALLENGE FORM, within **30 days** from the postmark date of this violation. You may also mail this form.

Email: sustainability@buildings.nyc.gov

Mail: NYC Department of Buildings
Sustainability Enforcement Unit
280 Broadway, 7th floor
New York, NY 10007

2. Include a copy of this violation notice in your message.

The Local Law 84/2009 BENCHMARKING VIOLATION CHALLENGE FORM is available at:
www.nyc.gov/html/dob/html/sustainability/benchmarking.shtml

A reason for the challenge to this Violation must be documented. This challenge may include, but is not necessarily limited to, **one of the following:**

1. Proof from the Department of Finance that the building in question is not a covered building as defined in NYC ADMINISTRATIVE CODE §28-309.2;
2. Proof of timely Benchmarking as indicated by a confirmation email from the U.S. Environmental Protection Agency's Portfolio Manager that includes a date-stamped copy of data released to the city; or
3. Proof of change in ownership during the year in question, or that the building was demolished, or was a new building with a NB permit and no TCO.

If you have any questions, please email: sustainability@buildings.nyc.gov. Please include your violation number and BBL in the subject heading. To review the status of your violation, please visit DOB's Building Information System at: www.nyc.gov/bis.

Rick D. Chandler, P.E.

A handwritten signature in black ink that reads "Rick Chandler".

Commissioner