

Books for Bots - Volume 1: Building-Performance Law

October 19, 2026

<https://bcesg.org/books-for-bots/>

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- How to File a Local Law 97 Report: The DOB NOW, ESPM, and BEAM Walkthrough Nobody Gives You - <https://bcesg.org/how-to-file-local-law-97-dob-now-espm-beam/>

Local Law 97 Deadline June 30, 2026: File Your Report or Buy the \$60 Extension

Source: <https://bcesg.org/local-law-97-june-30-2026-deadline-file-or-extend/> Published: October 6, 2026

Updated October 6, 2026.

As of October 6, 2026, the June 30, 2026 and August 29, 2026 filing deadlines for calendar year 2025 Local Law 97 reports have passed; confirm your building's status in DOB systems rather than assuming an outcome here.

By Will Tygart, author of the Commercial Restoration Carbon Protocol (CRCP) and a filed public commenter in CARB's SB 253 Scope 3 rulemaking. Every regulatory claim links to its primary source.

This guide is written for the person who actually coordinates the filing: the property manager. It covers what was due for filing year 2026, what missing those deadlines costs (in real dollars per month), how the three-portal filing process works, and what to do if your building is over its cap.

LL97 filing year 2026 deadlines (reference)

October 2026 status: *The June 30, 2026 statutory deadline and the August 29, 2026 extended deadline (for buildings that secured a \$60 extension by June 30) are both in the past. Use DOB BEAM and DOB NOW records to verify whether your building filed; this article does not state filing outcomes for any property.*

Date	What happens	Source
May 1, 2026	LL97 report on calendar-year-2025 emissions was due (Admin Code §28-320.6.2)	DOB service notice, Feb 27, 2026
June 30, 2026	Hard end of the 60-day grace period — AND the last day to apply for an extension	Same notice; 1 RCNY 103-14(g)(2)
August 29, 2026	Extended filing deadline, only for buildings that applied by June 30 (\$60 fee)	Same notice

The extension is applied for as a ticket inside the BEAM portal; the \$60 fee is paid separately in DOB NOW: Safety. No professional attestation is required to request it. Sixty dollars is the cheapest insurance in NYC real estate this month.

What missing the deadline actually costs

Local Law 97 has two separate penalties, and the one for *not filing* is usually worse than the one for *emitting too much*.

- **Failure to file:** gross floor area × **\$0.50 per month**, assessed for each month the report is not submitted within the 12 months following May 1 — and if you file after the grace period, penalties accrue retroactively to May 1 (DOB violations page).

- **Exceeding the cap:** (actual emissions emissions limit) × **\$268 per metric ton of CO₂e**, assessed annually.
- **False filing:** a misdemeanor, with fines up to \$500,000.

Worked example: a 60,000 sq ft Midtown office building

The 2024–2029 emissions cap for office space is 0.00758 tCO₂e per square foot (1 RCNY 103-14). So the building’s annual limit is $60,000 \times 0.00758 = \mathbf{454.8 \text{ tCO}_2\text{e}}$.

- If the building actually emitted 550 tCO₂e in 2025, the overage penalty is $(550 - 454.8) \times \$268 = \mathbf{\$25,514 \text{ for the year}}$.
- If the same building simply fails to file, the penalty is $60,000 \times \$0.50 = \mathbf{\$30,000 \text{ per month}}$.

Read that again: one month of not filing costs more than a full year of being 21% over the cap. Whatever your building’s emissions situation is, filing is always the cheaper move — and for the roughly 91% of buildings currently under their 2024–2029 caps, the report costs only the filing fee (\$210 for a simple report) and the engineer’s time.

Enforcement is no longer theoretical

On April 22, 2026, DOB published its first-year results (press release): approximately **93% of covered privately-owned properties filed** their CY2024 reports, the DOB Sustainability Bureau is now **auditing filings from roughly 28,000 buildings**, and **about 1,400 properties that never filed are receiving Notices of Deficiency** with a 60-day cure window before DOB attorneys take the cases to OATH.

Filing rates by borough: Manhattan 95%, Brooklyn 93%, Bronx 92%, Queens 91%, Staten Island 83%. By building type, offices and hotels led at 95%; houses of worship (81%) and garages (80%) trailed. If your portfolio includes the laggard categories, your buildings are statistically the ones DOB’s enforcement queue is built from.

How the filing actually works (the three-portal reality)

The single most common operational complaint about LL97 is that compliance lives in three systems that sync overnight. As DOB’s own assistant commissioner for sustainability put it: *“You cannot complete a report in one day and you need to plan for that.”* (Habitat, March 2025)

- **DOB NOW: Safety** — pay the filing fee first (\$210 simple report / \$615 complex / \$60 extension / \$950 good-faith-efforts report, per 1 RCNY 101-03). BEAM does not unlock until the payment clears, which happens overnight.
- **ENERGY STAR Portfolio Manager (ESPM)** — your building’s energy data flows from here. Note: “Other” and “Mixed Use” property types are prohibited for LL97 reporting; the building must be typed correctly.
- **BEAM** (nyc.beam-portal.org) — where the report itself is filed, and where extensions, Covered Buildings List disputes, and penalty-mitigation requests are submitted as numbered tickets.

Two coordination traps: the email addresses for the owner, property manager, and energy provider must be consistent across all three systems, and only a **Registered Design Professional** (a licensed PE or RA) can certify and submit the Article 320 report. The property manager does not file — the property manager

coordinates: portal access, BBL/BIN numbers, fee payment, utility data, and the RDP’s calendar. If you have not booked your RDP yet, that is today’s call, not June 29’s.

Over your cap? File anyway — then mitigate

Filing and penalty exposure are separate questions. If your building exceeded its 2025 cap:

- **Good-faith efforts mitigation** (1 RCNY 103-14(i)(2)) can reduce penalties — but it legally requires the annual report to be filed, LL84 benchmarking to be current, and an LL88 lighting/sub-metering attestation, plus one qualifying path (a decarbonization plan, an approved DOB application for compliance work, electric-readiness upgrades, a prior under-cap year, critical-facility status, or a pending adjustment).
- **RECs** can offset emissions attributable to electricity only, must be NYC-deliverable, and are currently uncapped for the 2024–2029 period — except that buildings using the decarbonization-plan path are barred from them (DOB REC policy).
- **Offsets** are capped at 10% of your emissions *limit* and the only eligible program is the city’s Affordable Housing Reinvestment Fund, priced at \$268/ton — deliberately equal to the penalty rate.
- **Disaster damage** is a named mitigating factor: under 1 RCNY 103-14(i)(1), an owner who documents that a hurricane, severe flooding, or fire precluded compliance in a calendar year — with photographs and a narrative — “may result in a penalty of zero dollars” for that year. If your building had a major loss event in 2025, your restoration contractor’s job file is now LL97 evidence. Ask for it.

What this deadline means for each seat at the table

If you are the...	June 30 means...
Owner	You bear the penalty: \$0.50/sqft/month for silence, \$268/ton for overage. The \$60 extension protects you for \$60. Authorize it today.
Facility / property manager	You own the pipeline: three portals, matching emails, the RDP booking, the utility data, and the ticket trail. The overnight-sync delays mean teams should have completed BEAM filings before the June 30, 2026 deadline (now passed).
Tenant	Your energy use counts against the building’s whole-building number, and the A–F energy grade posted at your entrance every October comes from the same data. Expect your landlord to get more interested in your submeter.

The rest of the 2026 compliance calendar

Deadline	Obligation
June 30, 2026	LL97 CY2025 report grace ends; last day for \$60 extension application
Aug 29, 2026	Extended LL97 filing deadline (extension-approved buildings only)
Oct 1–31, 2026	LL33/LL95 energy grade labels (A–F) must be posted near every public entrance
Dec 31, 2026	LL87 Energy Efficiency Reports due for buildings in the 2026 cycle

Deadline	Obligation
May 1, 2028	Good-faith decarbonization-plan filers must show a DOB-approved application for their 2030-cap work
Jan 1, 2030	The cliff: caps tighten sharply — roughly 57% of covered properties currently emit more than their 2030 limit (Urban Green Council)

That last row is the real story of 2026. Only about 9% of properties exceed today’s caps; about 57% exceed the 2030 caps. The buildings that use this filing cycle to understand their numbers — including the carbon that enters and leaves through their vendors and capital projects — are the ones that will plan their way under the 2030 line instead of writing checks over it.

Frequently asked questions

When is the Local Law 97 report due in 2026?

The report on calendar-year-2025 emissions was due May 1, 2026, with a statutory grace period through June 30, 2026. Buildings that apply by June 30 for a \$60 extension have until August 29, 2026.

What happens if my building misses the June 30, 2026 deadline?

Without an approved extension, the failure-to-file penalty is gross floor area × \$0.50 per month, assessed retroactively to May 1 — \$30,000 per month on a 60,000 sq ft building. Filing late stops the clock; it does not refund it.

How much does an LL97 extension cost and how do I get one?

\$60. Apply as a ticket in the BEAM portal by June 30, 2026 and pay the fee in DOB NOW: Safety; the deadline moves to August 29, 2026. No professional attestation is required to apply.

Who can actually file the LL97 report?

Only a Registered Design Professional — a New York licensed Professional Engineer or Registered Architect — can certify and submit an Article 320 emissions report. The property manager coordinates the data, portals, and payment, but cannot self-file.

Will DOB extend the deadline again like it did in 2025?

No. DOB’s February 27, 2026 service notice states that “deadline extensions issued by service notice in 2025 do not apply to filing year 2026.” Do not assume another blanket extension; verify status in DOB systems.

How are Local Law 97 fines calculated?

Overage: (actual emissions your building’s limit) × \$268 per metric ton CO₂e, per year. Non-filing: floor area × \$0.50 per month. A false filing is a misdemeanor with fines up to \$500,000.

Does my restoration contractor’s carbon count toward LL97?

No. LL97 counts only emissions from operating the building — on-site fuel combustion plus purchased electricity and steam. Contractor operations, hauling, disposal, and materials are outside the cap. But that vendor carbon is exactly what GRESB, California SB 253, and corporate tenant reporting increasingly demand — see the Commercial Restoration Carbon Protocol (CRCP) for how property managers are starting to collect

it.

Primary sources

- DOB Service Notice, Feb 27, 2026 — 2026 Sustainability Compliance Filing Deadlines
- DOB — Local Law 97 main page
- DOB — LL97 violations and penalties
- DOB Press Release, Apr 22, 2026 — first-year filing results
- 1 RCNY 103-14 — the LL97 rule (caps, coefficients, mitigation)
- 1 RCNY 101-03 — filing fee schedule
- DOB — REC policy for LL97
- Urban Green Council — LL97 analysis

More in Local Law 97 and About BC ESG.

Related reading: how to file LL97, board resolution checklist, and Article 320 vs 321. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

LL84 Benchmarking as the LL97 Prerequisite

Source: <https://bcesg.org/ll84-benchmarking-ll97-prerequisite/> Published: August 29, 2026

Last verified: August 22, 2026. By Will Tygart.

LL97 emissions compliance is only as good as the energy data system underneath it. LL84-style benchmarking via ENERGY STAR Portfolio Manager is not a side quest. It is the data spine for intensity, property type, and year-over-year truth. The filing walkthrough is already here: DOB NOW, ESPM, and BEAM.

Operator checklist

- Every covered BIN has a maintained ESPM property
- Property type matches reality (mixed-use rules understood)
- Utility meters mapped; gaps documented
- Annual benchmarking deadlines on the stack calendar and the live LL84 / LL88 / LL97 / LL33 page
- Same data owner named for LL84 and LL97 seasons
- Exports archived with filing workpapers

Failure modes

- Changing property type to “game” factors without basis
- Tenant meters invisible to the landlord
- Different consultants using different ESPM copies
- Benchmarking marked “done” while LL97 data is still wrong

If the meters are a mess, do not debate 2030 electrification first. File with honest data, then fix coverage. The non-filing estimator is what you owe while you argue about the plant.

Related reading: Local Law 97 Article 320 vs 321, retrofit priority stack for existing buildings, and SEC climate rescission vs LL97. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

Local Law 97: Article 320 vs 321 Decision Tree

Source: <https://bcesg.org/ll97-article-320-vs-321/> Published: August 26, 2026

Last verified: August 22, 2026. By Will Tygart. For co-op and condo boards and managing agents. Counsel and a Registered Design Professional (RDP) finalize. Not legal advice.

Boards hear “pathway” folklore in hallways. Article 320 and Article 321 are not vibes. They are different legal tracks with different evidence, different reports, and different failure modes. This tree forces questions before anyone votes.

Most market-rate co-ops and condos over the size threshold are Article 320 buildings. Article 321 is the lighter, more prescriptive track for certain affordable housing, buildings with more than 35% rent-regulated units, and houses of worship. Confirm which track you are on against DOB’s Covered Building List — do not take it from a group-chat rumor.

Coverage first (if you are not covered, stop)

NYC Accelerator’s working test: buildings over 25,000 gross square feet; two or more buildings on the same tax lot that together exceed 50,000; or two or more condo buildings governed by the same board of managers that together exceed 50,000. Square footage comes from Department of Finance records (BBL / BIN). Penalties apply at the BIN.

What the two articles actually are

	Article 320	Article 321
Who it usually covers	Most private / market-rate covered buildings	Certain affordable housing, buildings with more than 35% rent-regulated units, houses of worship
The obligation	Annual carbon cap on building emissions from energy use	Either complete a one-time list of 13 prescriptive energy conservation measures, or meet the building's 2030 carbon limit
Over-cap math	\$268 per metric ton of CO ₂ e over the limit for that year	Different (prescriptive / alternate) reporting and enforcement — do not import 320 penalty folklore
Official DOB guides	Article 320 information guide (market-rate)	Article 321 filing guide (affordable housing and houses of worship)

HDFC co-ops are commonly treated as Article 321. Ordinary market-rate co-ops and condos are commonly Article 320. Mixed buildings need a rent-roll analysis, not a slogan.

Step 0 — facts packet before the vote

- Covered building? GFA / aggregate rules checked against the Covered Building List
- Rent-regulated share estimate with a source (rent roll, not memory)
- Dual-period calculator output if you are on (or might be on) 320
- Filing status this cycle — May 1 / June 30 / \$60 extension to August 29, 2026
- Capital reserve capacity

Step 1 — are you choosing a special compliance pathway?

If no: you are in Article 320-style emissions-limit planning. Fund intensity work. File on time.

If yes: continue with counsel on Article 321 / alternate-pathway eligibility. Do not skip the annual file while you “study the pathway.”

Step 2 — eligibility screen (yes/no with evidence)

Question	Evidence
Does rent-regulated share meet pathway thresholds?	Rent-roll analysis
Can we implement required measures on the timeline?	Engineering memo
Do we understand reporting differences?	RDP memo plus the matching DOB guide
Can we afford non-compliance if the pathway fails?	Reserve study

Step 3 — decision outcomes

- **A. Stay on the emissions-limit path** — retrofit, use allowed offsets / credits as written, file on time
- **B. Pursue the alternate pathway** — minute the rationale, budget the measures, assign owners
- **C. Hybrid time plan** — near-term filing discipline plus a medium-term pathway study. Do not miss filing while studying.

Step 4 — board resolution

Use the board resolution checklist. Pathway choice must be an exhibit, not a vibe. The live co-op and condo playbook is still the longer 2026 operating guide.

Related on BCESG

- Local Law 97 for co-ops and condos
- Board resolution checklist
- How to file a Local Law 97 report
- NYC DOB LL97 page · NYC Accelerator LL97 page

Primary sources this pass: NYC Accelerator LL97 (Article 320 vs 321, 13 ECMs, 2026 extension), NYC DOB LL97 page and Article 320 / 321 filing guides.

Related reading: LL84 as the LL97 prerequisite, board resolution checklist, and SEC climate rescission vs LL97. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart

Media.

Building Code & ESG Regulatory Watch: NYC LL97 Deadlines, CA SB 253 Scopes & CRE Enforcement — Tuesday, August 25, 2026

Source: <https://bcesg.org/building-code-esg-regulatory-watch-nyc-ll97-deadlines-ca-sb-253-scopes-cre-enforcement-tuesday-august-25-2026/> Published: August 25, 2026

Executive Regulatory Briefing for Commercial Real Estate (CRE) Owners, Property Asset Managers, and Facility Directors: Situational intelligence covering municipal carbon caps, state-level climate disclosure mandates, and building safety enforcement.

Executive Regulatory Alert & Immediate Compliance Hotspots

As commercial property portfolios advance through the 2024-2029 regulatory cycle, municipal building authorities and environmental regulatory agencies are accelerating statutory enforcement. In New York City, commercial and residential properties exceeding 25,000 gross square feet face immediate statutory reporting obligations under **Local Law 97** with strict carbon penalty liabilities assessed at **\$268 per metric ton of CO₂e** over assigned emission limits.

Regulatory Mandate Breakdown & Penalty Matrix

Regulation / Law	Jurisdiction & Authority	Covered Building Classes	Penalty Exposure
NYC Local Law 97	New York City (NYC DOB)	Commercial/Resi > 25k sq ft	\$268 / metric ton CO ₂ e over statutory cap
California SB 253 / SB 261	California (CARB)	Revenue > \$1B (SB 253) / > \$500M (SB 261)	Up to \$500,000 annually for reporting omissions
EPA NESHAP Commercial Asbestos	Federal (US EPA)	Commercial renovations/demolitions	\$40,000+ per day per unnotified ACM violation
OSHA Indoor/Outdoor Heat Standard	Federal (OSHA NEP)	Mechanical rooms, facilities, roof crews	Up to \$161,323 for willful safety violations

Operational Timelines & Filing Windows

- **NYC Local Law 97 Annual Certification:** Registered Design Professional (PE/RA) certified emissions filings due annually on May 1. Buildings utilizing Article 321 prescriptive energy conservation pathways must verify completed capital milestones.
- **California Climate Corporate Data Rollout:** Covered national enterprises operating in California must formalize Scope 1 & Scope 2 operational boundaries ahead of mandated third-party assurance deadlines.
- **Federal EPA 10-Day Pre-Renovation Rule:** Required written notification to state/federal EPA offices prior to disturbing commercial insulation, floor tile mastic, or fireproofing exceeding statutory square footage thresholds.

Facility Director & Asset Manager Tactical Checklist

- **1. Comprehensive ASHRAE Level II Energy Audits:** Commission detailed energy audits across all portfolio assets exceeding 50,000 sq ft to identify high-draw chillers, uninsulated steam lines, and legacy pneumatic controls.
- **2. Building Management System (BMS) Calibration & Submetering:** Install tenant-level electrical submetering and interval data loggers to segregate plug-load consumption and enforce green lease cost-sharing provisions.
- **3. Electrification & Heat Pump Retrofit Planning:** Begin engineering assessments for variable refrigerant flow (VRF) and air-source heat pump conversions to displace fossil-fuel boiler loads ahead of the stringent 2030 Phase 2 carbon cap drop.
- **4. Facility Vendor Pre-Qualification:** Ensure all mechanical, roofing, and remediation trade contractors hold verified EPA abatement credentials and documented OSHA workplace heat safety programs.

Official Citations & Regulatory References

Official regulatory portals and filing resources:

- **NYC Sustainable Buildings (DOB LL97):** nyc.gov/sustainablebuildings
- **California Air Resources Board (CARB):** arb.ca.gov
- **EPA National Emission Standards for Hazardous Air Pollutants:** epa.gov/asbestos
- **OSHA Heat Injury Prevention Standard:** osha.gov/heat-exposure

Related reading: Local Law 97 Article 320 vs 321, LL84 benchmarking as the LL97 prerequisite, and why LL97 still runs after the SEC climate rescission. **Sister hubs:** Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

Regulatory & Compliance Disclaimer: This briefing is provided for informational and operational planning purposes for Commercial Real Estate (CRE) owners, asset managers, facility directors, and sustainability professionals. It does not constitute formal legal counsel, licensed engineering certification, or certified carbon accounting. Always verify jurisdictional compliance requirements with the respective municipal code authority (e.g., NYC DOB, CARB, EPA, OSHA) and consult a registered professional engineer (PE) or qualified environmental compliance attorney before executing capital retrofit decisions.

Board Resolution Checklist: Local Law 97 for Co-ops and Condos

Source: <https://bcesg.org/ll97-board-resolution-checklist/> Published: August 24, 2026

Last verified: August 22, 2026. By Will Tygart. Written for co-op and condo boards and the managing agents who serve them. Not legal advice — counsel and a Registered Design Professional (RDP) finalize language and pathway calls.

Co-op and condo Local Law 97 work usually dies in governance before it dies in engineering: unclear authority, unfunded mandates, a late RDP, and a pathway decision nobody minuted. This checklist is the meeting-ready spine. Pair it with the live co-op and condo LL97 playbook and the \$268-per-ton calculator.

2026 filing clock (do not skip this)

NYC Accelerator and DOB still run the same three-step file: pay the fee in DOB NOW, share energy data in ENERGY STAR Portfolio Manager, then submit in BEAM with an RDP. The annual report is due May 1, with a 60-day grace period through June 30. For 2026, buildings that need more time may apply in BEAM by June 30 for a \$60 extension that runs through August 29, 2026. Missing the file is a different (and often worse) problem than being over cap.

Confirm your building is on DOB's Covered Building List before you argue pathway folklore in the hallway.

Pre-meeting packet (managing agent / president)

- Latest ENERGY STAR Portfolio Manager property type(s) and gross floor area assumptions
- Dual-period calculator printout (current period vs 2030)
- Filing status: submitted / in grace / extension / not started
- RDP engagement letter status and fee range
- Reserve study excerpt (energy / capital)
- Pathway status if anyone is talking Article 320 vs 321 — with evidence, not rumor
- Vendor list: energy, facade, HVAC, filing consultant

Resolution themes to draft (counsel finalizes language)

1. Authority and roles

- Designate a board officer and a managing-agent owner for LL97
- Authorize spend up to a named dollar amount for RDP / filing without reopening the full board on every invoice (with reporting)
- Require monthly compliance status in the board package through filing season

2. Filing-season actions

- Authorize timely filing *or* the extension application under current DOB rules
- Authorize portal fees and access (BBL/BIN; credentials held by the agent with board visibility)
- Require confirmation that submission artifacts are stored in board records

3. Data quality

- Direct the agent to reconcile utility data and Portfolio Manager anomalies before sign-off
- Require a written explanation of any mixed-use factor weighting

4. Capital and 2030

- Commission or update an energy master plan aimed at 2030 limits
- Tie major HVAC / envelope projects to intensity outcomes
- Schedule owner communications on future assessments if CapEx is material

5. Pathway and special situations

- Document pathway analysis (rent-regulated share, Article 320 vs 321) with counsel and the RDP

- Minute the decision and the evidence relied on

6. Vendors and continuity

- Require vendors to provide documentation suitable for good-faith / audit files
- Align the emergency vendor list with who shows up if systems fail mid-retrofit

Sample 30-minute agenda block

- Status (5) — filing clock
- Numbers (10) — calculator plus 2030 gap
- Decisions (10) — spend authority, RDP, extension yes/no
- Owner message (5) — what shareholders hear this month

Red flags

- No RDP on the calendar inside filing season
- “We’ll use last year’s PDF” without a data refresh
- Capital talk with no intensity target
- Pathway folklore without written analysis

After the vote

- Store the resolution and exhibits in the board portal
- Confirm the June 30 / extension owners on the calendar
- Schedule a post-filing retrospective: what broke in data or vendors

Related on BCESG

- Local Law 97 for co-ops and condos (2026 board playbook)
- LL97 fines calculator
- How to file: DOB NOW, ESPM, and BEAM
- LL84, LL88, LL97, and LL33 as one calendar

Primary sources checked this pass: NYC Accelerator LL97 page (coverage, Article 320 vs 321, 2026 extension), NYC DOB LL97 greenhouse gas reductions page, and the live BCESG co-op playbook.

Related reading: Article 320 vs 321, LL84 as the LL97 prerequisite, and LL97 fines calculator. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

Linking Local Law 97 Data to Business Continuity and Insurance

Source: <https://bcesg.org/ll97-business-continuity-insurance/> Published: August 23, 2026

Last verified: August 22, 2026. By Will Tygart.

In too many organizations, sustainability owns ESPM, risk owns the BCP binder, and insurance owns the renewal submission. Those packets should share DNA. LL97 forces annual, building-level truth about energy and emissions. Continuity forces truth about what breaks. Insurers and lenders ask questions that sit in the overlap.

What LL97 artifacts are useful beyond DOB

Artifact	Continuity use	Insurance / lender use
ESPM property type + GFA	Critical-function context	Exposure description
Annual emissions + factors	Dependency on energy systems	Transition-risk narrative
Filing + RDP workpapers	Vendor and data controls	Governance-quality signal
Retrofit roadmap to 2030	Recovery of performance after events	CapEx / risk-improvement story
Outage / disaster energy documentation	Incident records	Claim and provision support

90-day integration

Days 1–30 — inventory

- List covered BINs and LL97 filing status on the 2026–2030 calendar
- Map each BIN to PM, RDP, and insurance schedule
- Store calculator outputs with the risk file, not only the ESG folder

Days 31–60 — shared packet

One digital binder per priority asset: LL97 summary (current + 2030), critical systems list (power, heat, life safety, elevators, BMS), vendor call tree, last incident log, open CapEx that improves both intensity and resilience.

Days 61–90 — negotiation use

Bring the packet to renewal meetings. Use 2030 exposure as a capital-prioritization argument, not a scare PDF. Align continuity tests with systems that dominate emissions (central plants).

Disaster documentation is dual-use

When a real event hits energy systems or occupancy, continuity logs become compliance evidence. Photos, timestamps, utility tickets, and vendor reports. See CRE portfolio disaster recovery (scheduled) and the live DR framework plus PM continuity playbook.

Sister-site handoffs, on purpose: BIA methodology at continuityhub.org; catastrophe / carrier framing at riskcoveragehub.com; restoration / recovery ops at restorationintel.com.

Related reading: disaster recovery for CRE portfolios, non-filing penalty estimator, and SEC climate rescission vs LL97. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

Good-Faith Compliance Strategies When You Miss the LL97 Cap

Source: <https://bcesg.org/ll97-good-faith-compliance-strategies/> Published: August 23, 2026

Last verified: August 22, 2026. By Will Tygart. Not legal advice. Pathway and adjustment eligibility are building-specific.

Missing a cap is a management problem, not only a payment problem. DOB and counterparties look for credible, documented effort: accurate data, timely filing, professional involvement, and a path that could work.

Priority stack when over cap

- **File or extend correctly.** Non-filing can dwarf overage. Use the non-filing estimator and the 2026 deadline guide.
- **Fix data.** Wrong factors and bad meters create fake overages and fake comfort. LL84-style ESPM hygiene is the spine.
- **Model 2030.** Read 2030 cap-tightening scenarios so you don't buy a one-year story.
- **Evaluate lawful tools with RDP and counsel** — RECs, HPD-qualifying offsets (capped), 320.7 adjustments, pathway elections. NYC Accelerator publishes 320.7 adjustment guides for 320 and 321 buildings.
- **CapEx that moves intensity** — not vanity retrofits.
- **Minute board decisions** — see the co-op / condo playbook.

Documentation kit (audit-ready folder)

- ESPM exports and utility reconciliations
- RDP engagement letters and work product
- Board resolutions and budget approvals
- Vendor scopes tied to intensity outcomes
- Timeline of actions taken when overage was known
- Disaster / outage records if energy systems were affected

What “good faith” is not

- Silence until an OATH letter
- Spreadsheet folklore without an RDP
- Buying offsets without understanding limits (including the 10% cap on the HPD-qualifying offset in current rulemaking)
- A website claim of net-zero

Related: \$268 calculator · NYC Accelerator LL97 · DOB penalty mitigation guide (Article 320).

Related reading: 2030 cap tightening scenarios, non-filing penalty estimator, and Article 320 vs 321. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

Local Law 97: 2030 Cap Tightening Scenarios by Property Type

Source: <https://bcesg.org/ll97-2030-cap-tightening-scenarios/> Published: August 22, 2026

Last verified: August 22, 2026. By Will Tygart. Read with the LL97 penalty calculator. Not legal advice. Confirm factors against 1 RCNY 103-14 and your RDP before any CapEx memo.

Local Law 97 already has real reporting and penalty mechanics. The strategic shock for many portfolios is January 1, 2030, when emissions limits tighten sharply by property type. A building that looks “fine” under 2024–2029 factors can face a large annual overage in 2030 *at the same energy use*.

NYC Accelerator’s public read of 2024 benchmarking: less than 10% of properties exceeded the first-period cap; about 57% are projected to exceed 2030–2034 limits. That is the planning problem.

How limits work (refresher)

Annual building emissions are compared to a limit derived from gross floor area × an emissions factor for the building’s ENERGY STAR Portfolio Manager property type (with mixed-use weighting). Overage metric tons × \$268 is the statutory penalty-rate context used on this site. Factors and elections can be nuanced. Always confirm against **1 RCNY 103-14**.

Why 2030 is a different planning problem

Period	Planning posture
2024–2029 limits	Data quality, file on time, quick efficiency wins, document good faith
2030+ limits	CapEx sequencing, electrification pathways, tenant energy strategy, capital reserves, possible pathway elections

Illustrative **relative** tightening — order-of-magnitude language for prioritization, **not legal limits**. Re-verify exact factors from the rule text:

- **Office** — very large drop in allowed intensity (often cited in the ~65% class in explanatory materials)
- **Retail** — among the steepest intensity cuts
- **Warehouse** — steep cuts
- **Multifamily** — material, often cited as less steep than office/retail (~50% class)
- **Data centers** — material; still portfolio-specific

The calculator and 1 RCNY tables are the math source of truth. Do not put the percentages above into a board resolution as if they were the Code.

Scenario A — compliant now, exposed later

Profile: office or retail with solid 2025–2026 reporting, modest overage or none under current factors.

Risk: same EUI in 2030 -> large annual penalty.

- Run dual-period calculator outputs for the asset
- Build a 2027–2029 CapEx path (envelope, HVAC, controls, electrification readiness)
- Align board reserve studies or CapEx committees to 2030, not only the next audit

- Tie vendor RFPs to measurable intensity outcomes

Scenario B — filing is the emergency; 2030 is the strategy

Profile: behind on 2026 reporting, RDP not booked, ESPM messy.

- Deadline / extension playbook
- Non-filing estimator
- Parallel track: data hygiene now, retrofit roadmap after the first clean filing year

Scenario C — portfolio mix

Rank assets by **2030 gap × square footage × hold period**. One capital plan applied to office + multifamily + industrial wastes money. Sell / hold / renovate decisions include the LL97 path, not only NOI.

Scenario D — board-governed housing

Co-op / condo split incentives. Use the board resolution checklist (scheduled) and the live co-op playbook. Multi-year assessment funding — not a single annual surprise.

Worked thinking (illustrative only)

Take a 100,000 sq ft office with stable operations. Compute limit and emissions under current-period factors. Recompute with 2030 factors for the same property type. $\Delta \text{tons} \times \$268 = \text{order-of-magnitude annual exposure}$ if nothing changes. Compare that annuity to retrofit debt service. If the 2030 annuity exceeds credible efficiency financing, the conversation is asset strategy, not a compliance project.

This quarter

- Dual-period estimate for every covered asset
- Flag the top quartile of 2030 exposure
- Book RDP / energy capacity before bottleneck seasons
- Put 2030 on the compliance calendar alongside 2026 filing chores

Related: the NYC stack as one calendar.

Related reading: good-faith strategies when you miss the cap, retrofit priority stack, and LL84 benchmarking. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

LL97 Non-Filing Penalty Estimator

Source: <https://bcesg.org/ll97-non-filing-penalty-estimator/> Published: August 22, 2026

Last verified: August 22, 2026. By Will Tygart. Companion to the \$268/ton overage calculator. Not legal advice. Confirm current Code and DOB enforcement language with your RDP and counsel before you rely on any number.

Owners fixate on overage math and ignore non-filing math. Those are different triggers. In a lot of real buildings, stalling the report creates a monthly exposure that can outrun a year's overage penalty — especially

on large floor plates.

The working formula

Market explainers and our calculator FAQ use this pattern for **failure to file**:

Estimated monthly non-filing penalty gross floor area (sq ft) × \$0.50

That is the figure used across 2026 practitioner writeups (and it matches the “up to \$0.50 per square foot per month” language boards hear from counsel). Retroactivity and how DOB applies *your* BIN still have to be confirmed. Do not treat this table as a bill.

GFA (sq ft)	Monthly	3 months	6 months
25,000	\$12,500	\$37,500	\$75,000
50,000	\$25,000	\$75,000	\$150,000
60,000	\$30,000	\$90,000	\$180,000
100,000	\$50,000	\$150,000	\$300,000
200,000	\$100,000	\$300,000	\$600,000

False-statement penalties are a different animal (fixed, severe). Do not mix them into this table.

How to use this with the overage calculator

- Estimate **overage** annual exposure with the \$268 calculator
- Estimate **non-filing** monthly exposure with the table above
- Compare time-to-file cost vs RDP + filing cost
- If you are inside a grace or extension window, read the deadline guide today. For 2026: May 1 due, grace through June 30, \$60 BEAM extension through August 29 if you actually apply.

Decision tree

- **Filed this cycle?** Monitor acceptance, keep artifacts, shift focus to 2030 intensity.
- **Not filed, can file within days?** Prioritize filing over retrofit debates.
- **Need the extension?** Calendar the BEAM action before June 30.
- **Data chaos?** Buy RDP time immediately. The non-filing meter is the emergency, not the plant replacement meeting.

FAQ

Is non-filing the same as exceeding the cap? No. Different trigger, different math.

Does an extension erase non-filing risk forever? No. It changes the filing date if properly obtained.

Should boards see this table? Yes. It funds an emergency resolution faster than “compliance risk” as an abstract.

Related: 2026–2030 calendar · how to file · co-op / condo playbook.

Related reading: LL97 fines calculator, good-faith compliance, and board resolution checklist. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

2026–2030 NYC Building Compliance Calendar

Source: <https://bcesg.org/nyc-building-compliance-calendar-2026-2030/> Published: August 22, 2026

Last verified: August 22, 2026. By Will Tygart. Operations calendar for owners and PMs — not a legal instrument. Deadlines move by DOB service notice; re-check the current PDF before you file.

If you operate covered NYC buildings, put three dates on the portfolio dashboard and treat everything else as runway: May 1, June 30, and — if you actually applied — August 29. The 2030 limit cliff is real, but it does not excuse a missed 2026 file.

2026 — filing year

When	What	Ops note
May 1, 2026	LL97 report for calendar-year 2025 emissions (typical due date)	Same season as LL84 / LL88 May 1 patterns. Pay the fee in DOB NOW, share data in ENERGY STAR Portfolio Manager, submit in BEAM with an RDP.
May 1 –> June 30, 2026	60-day grace window used in city communications	Do not treat grace as a plan.
June 30, 2026	Last day commonly cited to apply in BEAM for the \$60 extension	Extension is an action, not automatic.
August 29, 2026	Extended LL97 filing date if the extension was properly obtained	Keep the ticket and approval artifacts.
October (LL33 / energy grade)	Energy grade label posting window	This is a public / tenant moment, not only a compliance chore.
December 31 (LL87, if in cycle)	Energy efficiency report cycles for buildings in-year	Check whether your BIN is in cycle.

Walkthroughs already on this site: June 30 deadline / extension, DOB NOW + ESPM + BEAM, and the LL84 / LL88 / LL97 / LL33 stack.

2027–2029 — build the 2030 runway

- Treat annual filing as a recurring ops process, not a project
- Metering, ESPM hygiene, mixed-use factor discipline
- Sequence CapEx against 2030 cap-tightening scenarios
- Keep good-faith files: decision memos, RDPs, vendor scopes
- Document disaster impacts that affect energy evidence

2030 — limit cliff

January 1, 2030 is when tighter emissions limits by property type take effect for the next compliance regime. A building that looks fine under 2024–2029 factors can face a large annual overage in 2030 at the same energy use. Run the \$268 calculator in both periods before you fund a one-year story.

How to use this in a PM shop

- Assign a named human per BIN for filing season
- Put May 1 / June 30 / August 29 on the portfolio dashboard
- Link each BIN to calculator output plus RDP contact
- Review October grade posting as a tenant/public moment
- Keep non-filing math separate from overage math — see the non-filing estimator

Sources this pass: NYC Accelerator LL97 page (2026 extension), DOB LL97 page, Feb 27 2026 sustainability deadline service notice as cited by Accelerator, and the live BCESG deadline walkthrough.

Related reading: LL84/88/97 compliance stack, June 30 deadline, and LL97 fines calculator. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

The SEC Climate Rule May Die. Local Law 97 Will Not.

Source: <https://bcesg.org/sec-climate-rescission-ll97-still-runs-2026/> Published: August 15, 2026

The SEC comment window on killing the 2024 climate disclosure rule closed. That is a federal filing story. It is not a hall pass for a New York building.

If you manage square footage over 25,000 in this city, Local Law 97 did not notice Chairman Atkins. The cap, the \$268-per-ton penalty, and the DOB calendar are still the job.

What actually ended

On May 29, 2026 the Commission proposed to rescind the March 2024 climate disclosure rules in full (Release 2026-49). The rules have been stayed since April 2024. In March 2025 the Commission stopped defending them. Comments ran 60 days after the June 3 Federal Register notice — through early August. The proposal is not a final repeal yet. It is also not a stay of any city or state building law.

For the insurance and NAIC-side implications of this same rescission, see The SEC Climate Rule May Die. The NAIC Survey Is Still Due August 31 on Risk Coverage Hub.

We already walked the federal timeline here: SEC climate disclosure rule — requirements, timeline, compliance. Do not reread that as “ESG is over.”

What did not end

NYC Accelerator still has it in one sentence: most buildings over 25,000 gross square feet sit under an annual carbon cap, with a **\$268 per metric ton CO₂e** penalty for going over. First compliance period is 2024–2029. Limits tighten in 2030. Reports go to DOB, certified by a PE or RA, through BEAM.

The annual report is due May 1, reflecting last year’s energy. DOB allows a grace period through June 30. For **2026 filings only**, owners who applied for the \$60 BEAM extension by *June 30, 2026* got until **August 29, 2026**. If you did not apply, that extra month is not sitting there waiting. See the NYC Accelerator LL97 page and DOB’s LL97 site.

The stack (LL84 / LL88 / LL97 / LL33) is still one calendar: NYC building compliance stack.

What to do this month

- If you have the August 29 extension, file. Do not spend the week rewriting a 10-K climate section that the SEC is trying to delete.
- If you missed June 30, treat it as late and call the RDP. Late filing and over-cap are different penalties. Mixing them up is how boards get surprised.
- Keep the 2030 model. Accelerator's public estimate: most buildings clear the first period; more than half are on track to miss 2030–2034. That is the real money.
- Article 321 buildings (certain affordable and houses of worship) are a different path. Do not copy a market-rate 320 playbook onto them.

Federal disclosure is a form. LL97 is a boiler and a bill. Run the one that fines the BIN.

Sources: *SEC Release 2026-49 (May 29, 2026)*; *Federal Register June 3, 2026*; *NYC Accelerator — Local Law 97*; *NYC DOB LL97*.

Related reading: Article 320 vs 321, LL84 as the LL97 prerequisite, and August 25 regulatory watch. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

LL84, LL88, LL97, and LL33: The NYC Building Compliance Stack as One Calendar (2026)

Source: <https://bcesg.org/ll84-ll88-ll97-nyc-compliance-stack/> Published: June 9, 2026

Updated October 6, 2026.

As of October 6, 2026, NYC's LL84, LL88, LL97, and LL33 obligations still share one Portfolio Manager data pipeline; the June 30, 2026 CY2025 LL97 grace deadline has passed — verify filing status in BEAM rather than assuming an outcome.

New York City's building energy laws are not four separate compliance problems — they are one data pipeline with four filing outputs, and the law with the fines (LL97) legally depends on the two you might be tempted to ignore (LL84 and LL88). The same ENERGY STAR Portfolio Manager record feeds the LL84 benchmark and the LL97 emissions report, both due May 1. The LL84 data generates your LL33 letter grade each fall. And if your building is ever over its LL97 cap, the good-faith-efforts mitigation that can save six figures requires current LL84 benchmarking and an LL88 attestation as legal prerequisites (1 RCNY 103-14(i)(2)). Treat them as one workflow and the marginal cost of each additional law approaches zero; treat them separately and you pay four consultants to chase one dataset.

The four laws in one table

October 2026 status: *The June 30, 2026 statutory deadline and the August 29, 2026 extended deadline (for buildings that secured a \$60 extension by June 30) are both in the past. Use DOB BEAM and DOB NOW records to verify whether your building filed; this article does not state filing outcomes for any property.*

Law	What it requires	Who is covered	Deadline	Penalty
LL84 (benchmarking)	Annual energy + water data via ESPM	Single buildings >25,000 gsf; 2+ buildings on one lot together >100,000 gsf	May 1	\$500/quarter, max \$2,000/yr
LL88 (lighting + submeters)	Lighting to current code; submeters in tenant spaces >5,000 gsf — both were due Jan 1, 2025	Same thresholds as LL84	Reports due May 1, 2026 for buildings not yet compliant	Violations + blocks LL97 mitigation
LL97 (emissions caps)	RDP-certified annual emissions report in BEAM; stay under the cap	Single buildings >25,000 gsf; aggregates >50,000 gsf	May 1 (grace to Jun 30)	\$268/tCO ₂ e over; \$0.50/sqft/month unfilled
LL33/95 (grades)	Post the A–F energy grade at every public entrance	All LL84-benchmarked buildings	Oct 1–31	Violations for failure to post

Two traps hide in that table. First, **the aggregation thresholds differ**: LL84 aggregates multi-building lots at 100,000 sqft while LL97 aggregates at 50,000 — so a three-building, 70,000 sqft tax lot can be covered by LL97 and *not* by LL84. Never assume one Covered Buildings List answers for the other. Second, **an A grade does not mean LL97 compliance**: LL33 grades score your ENERGY STAR percentile relative to peers, while LL97 caps are absolute carbon limits. A building full of efficient-but-electric-resistant systems can post a B in the lobby and still owe \$268-per-ton penalties — and vice versa.

The dependency nobody prices in: LL84 + LL88 are your LL97 insurance

If your building exceeds its cap, the difference between paying full freight and paying little or nothing usually runs through good-faith-efforts mitigation. The rule’s mandatory entry criteria (1 RCNY 103-14(i)(2)): a filed emissions report, **uploaded LL84 benchmarking data**, and **an attestation of LL88 lighting upgrades and tenant submetering** — before any of the qualifying pathways (decarbonization plan, approved compliance work, electric readiness, a prior under-cap year) even get considered. A skipped \$500-a-quarter LL84 filing can therefore disqualify a building from mitigation worth tens or hundreds of thousands. Compliance with the cheap laws is the admission ticket for relief from the expensive one.

The unified compliance calendar (rest of 2026 and beyond)

Date	Filing
June 30, 2026 (passed)	LL97 CY2025 grace ended; last day for the \$60 extension was June 30 (extended filings to Aug 29, 2026) — full guide
Aug 1 / Nov 1 / Feb 1	LL84 quarterly violation cure deadlines if you missed May 1
Oct 1–31, 2026	LL33 grade posted at every public entrance
Dec 31, 2026	LL87 energy audit + retro-commissioning reports for buildings in the 2026 cycle (10-year rotation by block number)
Jan–Apr 2027	Tenant data collection -& ESPM -& LL84 + LL97 prep (the pipeline restarts)
May 1, 2028	Good-faith decarbonization-plan filers must show DOB-approved applications for 2030-cap work

Date	Filing
Jan 1, 2030	LL97 caps tighten 50–79% by property type — run both periods in the calculator

Run it as one workflow

- **One data owner.** A single person (or consultant) holds the ESPM record, the tenant-data chase, and the utility authorizations. Every law downstream consumes their output.
- **One January kickoff.** Tenant energy requests, ESPM access verification, and property-type checks happen once, in January — not once per law in April.
- **One filing sprint.** LL84 and LL97 are due the same day from the same dataset; file them as a pair through the three-portal sequence.
- **One evidence file.** LL88 attestations, LL87 reports, grades, and any disaster documentation live in one place — because the day you need good-faith mitigation, DOB asks for all of it at once.

What this means for each seat at the table

If you are the...	The stack means...
Owner	Budget the stack as one program. The \$2,000-capped LL84 fine is trivial; its absence disqualifying you from LL97 mitigation is not.
Facility / property manager	You own the pipeline: one ESPM record feeds four filings. Calendar the January kickoff and the stack mostly runs itself.
Tenant	Your submeter (LL88) and your consumption (LL84/97) are inside the building's legal machinery, and the grade at the door (LL33) is partly your doing. Lease language increasingly formalizes all three.

Frequently asked questions

What is the difference between Local Law 84 and Local Law 97?

LL84 is annual energy and water benchmarking — data disclosure through ENERGY STAR Portfolio Manager, penalties capped at \$2,000 a year. LL97 is an emissions cap with real teeth: \$268 per ton over the limit and \$0.50 per square foot per month for not filing. LL84's data feeds LL97's report, and both are due May 1.

Does a good LL33 letter grade mean my building complies with LL97?

No. Grades score your ENERGY STAR percentile relative to similar buildings; LL97 caps are absolute carbon limits. A building can post a B and still owe LL97 penalties, or post a D while staying under its cap.

What is Local Law 88?

LL88 required covered buildings to upgrade lighting to current code and install electrical submeters in tenant spaces over 5,000 sqft by January 1, 2025; buildings not yet compliant file reports due May 1, 2026. The LL88 attestation is also a mandatory prerequisite for LL97 good-faith-efforts penalty mitigation.

Why is my building covered by LL97 but not LL84?

The aggregation thresholds differ: multi-building tax lots aggregate at 50,000 sqft for LL97 but 100,000 sqft for LL84. Single buildings over 25,000 sqft are covered by both.

What is due December 31, 2026?

LL87 energy audit and retro-commissioning reports for buildings whose block numbers fall in the 2026 cycle — the ten-year rotating requirement that pairs with the annual stack.

Primary sources

- DOB — LL84 benchmarking and LL84 violations
- DOB — LL88 lighting and submetering
- 1 RCNY 103-14 — LL97 rule (mitigation prerequisites)
- DOB Service Notice, Feb 27, 2026 — the 2026 deadline set

More in Local Law 97 and About BC ESG.

Related reading: LL84 as the LL97 prerequisite, NYC compliance calendar, and how to file LL97. Sister hubs: Restoration Intel, Healthcare Facility Hub, Continuity Hub, Risk Coverage Hub, and Tygart Media.

Local Law 97 Fines: The \$268-Per-Ton Math and a Calculator Built From the Rule Itself (2026)

Source: <https://bcesg.org/local-law-97-fines-calculator-268-per-ton/> Published: June 9, 2026

Updated October 6, 2026.

Use the calculator below for \$268-per-ton LL97 excess-emissions math from 1 RCNY 103-14; confirm penalties and filing status in DOB records — this page does not state outcomes for your building.

A Local Law 97 fine is calculated in one line: (your building's actual annual emissions its emissions limit) × \$268 per metric ton of CO₂e, assessed every year you remain over the cap. The limit is your gross floor area times a published factor for your property type — 0.00758 tCO₂e per square foot for an office today, falling to 0.002690852 in 2030. The separate failure-to-file penalty is gross floor area × \$0.50 per month. Use the calculator below for your building, then read the part nobody's calculator shows you: what the 2030 factors do to a building that is comfortably compliant today.

LL97 Penalty Calculator — emissions factors as printed in 1 RCNY 103-14(c)(3); penalty rate \$268/tCO₂e per Admin Code §28-320.6.

Property type (ESPM)

Gross floor area (sq ft)