NYC GREEN CODES
LEGISLATION AT A GLANCE

GCTF Proposal
Measure Electricity Use in Tenant Spaces

Implemented
Local Law 88 of 2009

Summary
Because electricity is often unmetered in commercial tenant spaces, tenants are unaware of the energy they consume. This, in turn, can lead to excessive use and waste.

This law requires non-residential buildings larger than 50,000 square feet to install submeters in tenant spaces and floors larger than 10,000 square feet.

New Requirements or Changes
Effective: December 28, 2009. These changes apply retroactively. By January 1, 2025, all covered buildings must be in compliance with the law.

New Section 28-311.2 of the Administrative Code:

- Defines “Covered Building” as:
  - Buildings larger 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 condominium ownership that are governed by the same board of managers and together exceed 100,000 gross square feet
  - Note: “Gross square feet” is as measured by the Department of Finance
- Defines “Covered Tenant Space” within Covered Buildings as:
  - Tenant spaces larger than 10,000 square feet, on one or more floors, let to the same person
  - Floor larger than 10,000 square feet
  - Does not apply to dwelling units in residential buildings (occupancy group R-2 and R-3)

New Sections 28-311.3 to 28-311.5 of the Administrative Code:

- By January 1, 2025, each covered tenant space must be measured by one or more sub-meter or utility meter dedicated to that space
- Owners must provide a monthly electricity statement to tenants with submeters which shows their electricity use and the charge for the electricity
- Owners must file a report with the Department of Building by January 1, 2025, prepared by a registered design professional or special electrician, certifying that submeters have been installed in all covered tenant spaces

Enforcement
The Department of Buildings has not yet issued rules detailing compliance procedures.

**Implementation**

Submeters are widely available from many manufactures. The date for compliance is not until 2025 in order to permit owners to install submeters as leases turnover. Owners should install submeters between now and 2025 as leases are renewed or tenancy changes.