

2018 ICSC Canadian Law Conference Roundtable

Practice Management Tips for Leasing Professionals

May 1, 2018

1. Instructions/Retainer

a.) Scope

- limited scope or full review?
- is title review, zoning enquiry or other work included and, if so, what is the scope in each case?
- corporate search of tenant (if acting for Landlord)?
- fee estimate
- retainer letter

b.) Familiarization

- know the property (Google, leasing materials)
- know the client's specific needs, future plans

c.) Process with Client

- who at client instructs?
- one client point of contact or team approach?
- is client copied on all correspondence and, if so, what is the expectation?
- are status reports anticipated?
- tracking dates from Offer (such as conditions, time for lease signing)

2. Review/Negotiations

a.) Initial Review

- ensuring conformity to Offer
- comments and questions to client

b.) Review by Client and advisors of Specific Items

- insurance
- Landlord's Work and Tenant's Work
- operational items (such as building density requirements, rules and regulations)

c.) Turns of Document

- input from client
- confirming instructions (especially where matters evolve from the Offer)

d.) Finalizing the Document

- calls/meeting
- final review

3. Reporting/Post-Signing

a.) Report or Summary

- what is the expectation?
- advise of immediate action items
- allocate responsibility for long term notice periods (client responsibility)
- advise of ongoing impacts (such as restrictions and ROFOs for Landlord to be aware of)

b.) Notice of Lease

- short form rather than notice (Ontario)
- Land Transfer Tax statements (Ontario)

c.) Non-Disturbance Agreements

- preparation
- follow up

d.) Planning Act Consent

- allocation of responsibility
- follow up

Qualifies for Professionalism Credit

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