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# NEGOTIATING & DRAFTING OFFICE LEASES

by John Busey Wood and Alan M. Di Sciuolo

Learn about the risks involved when signing an office lease. Discover the hidden liabilities that can lurk behind every clause.

Whether you are a tenant or landlord – or an attorney representing either side – you need to be thoroughly prepared for the entitlements and commitments a lease can contain. **Negotiating and Drafting Office Leases**, is an invaluable reference for beginners and experts, for corporate real estate executives and professionals, property managers, owners, builders, investment analysts, real estate brokers – indeed, for anyone concerned with commercial leasing.

## Practical Guidance for Handling Every Contingency

**Negotiating and Drafting Office Leases** provides complete coverage of the issues that can arise when negotiating a lease, including in-depth analysis of questions faced by businesses directly and indirectly affected by business disruptions, interruptions and catastrophic events. You'll find extensive coverage of assignment, subleasing, and other leasing issues that most standard forms omit or do not cover adequately – invaluable in any negotiation. Included are detailed checklists on so-called "silent issues" with guidance and suggestions for both tenants and landlords. You'll also benefit from nearly 100 time-saving sample forms and clauses, such as these:

- A tenant's proposal letter (with detailed analysis of its components)
- An adjustment of rent clause
- A sublease agreement
- A "good guy" clause
- A lease modification agreement, with discussion of when modification is the appropriate course

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- Provisions addressing force majeure events, entitlement to rent abatement, and coverage in the case of casualty or destruction
- A telecommunications license agreement

## Expert commentary on "Killer Leases"

**Negotiating and Drafting Office Leases** analyzes the "killer lease" that can shift the landlord's costs and risks to the tenant. Filled with tested lease clauses taken from complex "killer lease" transactions, it helps level the playing field by analyzing the key issues and showing tenants how to avoid unnecessary costs and risks. You'll find discussion of:

- Definitions clauses illustrating the complex drafting technique referred to as "pyramiding"
- Remedies and damages clauses that maximize the benefit of the bargain in the event of tenant default
- Landlord access clauses permitting maximum landlord control over the demised premises
- Tenant's proportionate share clauses demonstrating creative ways to utilize space measurements to affect share
- Services clauses and operating cost escalation clauses
- Tenants alteration clauses strictly drafted to require broad landlord approval
- Tenant audit rights with sample clauses
- Detailed analysis of building safety issues and insurance coverage, including mold damage and liability
- The impact of bankruptcy on guaranties
- Due diligence and the importance of thorough investigations

Wood and Di Sciuolo examine each clause in detail, alerting you to the legal and financial consequences. Filled with insights and advice on hidden pitfalls and negotiating strategies, **Negotiating and Drafting Office Leases** will return its cost to you many times over.

**Law Journal Press Online** gives you a searchable index and text, plus one-click access to related cases and statutes.

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