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In-class registration fee includes the course, materials, breakfast, lunch and coffee breaks. Substitutions are granted with notification to Lexpert Events.

Webinar participants will receive an online link to access the program materials as part of their registration fee

In-class participants material selection: Print Digital Both (an additional charge of \$99 will apply)

TORONTO - November 21, 2018

WEBINAR - November 21, 2018

Thomson Reuters
333 Bay St, 29th Floor, Toronto, ON
M5H 2R2

REGISTER BEFORE OCT. 26, 2018 AND SAVE \$300 - USE PROMO CODE:EARLYBIRD2018

*DISCOUNT ONLY APPLIES TO IN-CLASS

PRICES*:

In-Class
\$1195 + applicable taxes

Webinar
\$995 + applicable taxes

*WEBINAR PRICE CLARIFICATION

Please note, these prices are on a per-person basis. For payment of the price for one person, only one individual is allowed to be logged in and viewing at a time. To inquire about Group Rates, please see the contact information below.

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DEALING WITH THE LEASE

SUPPLEMENTARY LEASE DOCUMENTATION

NOVEMBER 21 | TORONTO & WEBINAR

Those involved in negotiating leases and the ongoing operation of the commercial project should be keenly aware that there are many different documents, apart from the lease itself, that need to be dealt with and understood. If the proper attention to these supplementary lease documents is not given, problems may arise negating all the previous efforts to negotiate the lease.



COURSE LEADER

STEPHEN J. MESSINGER, SENIOR PARTNER, MINDEN GROSS LLP

Stephen is Senior Partner in the Commercial Leasing Group of Minden Gross LLP. He specializes in commercial leasing and development. His clients include large, sophisticated developers, property and asset managers, retailers and institutions.

COURSE HIGHLIGHTS

- Transfer Rights
- Amending Agreements
- Notice of Lease & NDA
- Smoke Gets in Your Eyes: Issues Involved in the use of Recreational and Medical Cannabis
- Landlord's Security/Tenant Financing
- Estoppel Certificates
- Miscellaneous Agreements

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COURSE LEADER

STEPHEN J. MESSINGER



Stephen is Senior Partner in the Commercial Leasing Group of Minden Gross LLP. He specializes in commercial leasing and development. His clients include large, sophisticated developers, property and asset managers, retailers and institutions. He is an International Council of Shopping Centers (ICSC) Lead Canadian Division Ambassador and Distinguished Service Award recipient. Stephen is on the Editorial Board for and contributor to Shopping Centre Leases, Volumes I and II. Member of Advisory Boards of Georgetown University Law Center Advanced Commercial Leasing Institute and Commercial Lease Law Insider, and Commercial Tenant's Lease Insider. He is named as one of Canada's most frequently recommended property leasing lawyers by The Canadian Legal Lexpert® Directory and listed in the Lexpert® / American Lawyer Guide to the Leading 500 Lawyers in Canada. He was admitted to the Ontario Bar in 1968.

ACCREDITATION

LAW SOCIETY OF BRITISH COLUMBIA

This program has been accredited by the Law Society of British Columbia for up to 4.30 hours towards the professional development requirement for certification.

LAW SOCIETY OF ONTARIO

This program can be applied towards the 9 Substantive Hours of Continuing Professional Development (CPD) required by the Law Society of Upper Canada. This program is eligible for up to 4.30 Substantive Hours

BARREAU DU QUÉBEC

The Barreau du Québec automatically recognizes the same number of hours for this training activity, as long as it has been accredited by another Law Society that has adopted MCLE.

LAW SOCIETY OF ALBERTA

For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the Law Society of Alberta.



SPECIFICALLY DESIGNED FOR:

- Lawyers
- Law Clerks
- Lease Administrators
- Leasing Reps

PROGRAM OUTLINE

8:00 - 9:00 A.M. REGISTRATION AND BREAKFAST

9:00 - 9:10 A.M. INTRODUCTION AND OVERVIEW

9:10 - 9:45 A.M. TRANSFER RIGHTS

- Assignment & Consent to Assignment
- Subleases & Consent to Sublease
- License Agreement and Sharing Occupancy and Consent
- Change of Control & Consent to Change of Control
- Permitted Transfers & Assumption Agreements for Non-Consent Transfer

9:45 - 10:00 A.M. REFRESHMENT BREAK

10:00 - 10:30 A.M. AMENDING AGREEMENTS

- Lease Extension/Renewal Agreement
- Lease Amending Agreement
- Expansion Agreement & Lease Surrender Agreement
- Early Termination Agreement
- Relocation Agreement

10:30 - 10:45 A.M. REFRESHMENT BREAK

10:45 - 11:15 A.M. NOTICE OF LEASE & NDA

- Registration Issues: Why register. Options
- Subordination Concepts
- Non-Disturbance Agreement (NDA): from Mortgagee From Head Lessor
- Doctrine of Actual Notice

11:15 - 11:45 A.M. LANDLORD'S SECURITY/TENANT FINANCING

- Credit Due Diligence & Non-Disclosure Agreement
- Letter of Credit Agreement & Stand-by Letter of Credit
- Security Agreement/Rent Deposit Agreement/Confidentiality Agreement
- Guarantee versus Indemnity Agreement
- Tenant Financing: Landlord Waiver vs Landlord's Subordination Agreement (subordination of Landlord's security) vs. Consent to Leasehold Mortgage

11:45 A.M. - 1:00 P.M. NETWORKING LUNCH

1:00 - 1:30 P.M. ESTOPPEL CERTIFICATES

- Parties involved
- Errors vs actual amendments
- Binding or Non-Binding

1:30 - 1:45 PM REFRESHMENT BREAK

1:45 - 2:15 PM MISCELLANEOUS AGREEMENTS

- Tenant Assistance Agreements (temp rent reduction)
- Storage Agreement
- Parking Agreement
- Tri-Party Agreement between Landlord, Tenant and Franchisor

2:15 - 2:30 PM REFRESHMENT BREAK

2:30 - 3:30 PM SMOKE GETS IN YOUR EYES: ISSUES INVOLVED IN THE USE OF RECREATIONAL AND MEDICAL CANNABIS

- Basis for change in society views
- Recently passed legislation
- Issues for Landlords
- Issues for Tenants
- Changes in Lease language

3:30 - 3:45 PM QUESTIONS AND ANSWERS AND COURSE CONCLUSION

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