

## Your First Commercial Leasing Transaction

Real Property Law / Young Lawyers Division



In person Webcast

**Date:** Tuesday, November 15, 2022 | 9:00 am to 12:45 pm

**Location:** OBA Conference Centre, 20 Toronto St.

**Agenda:** 8:30 am Registration

9:00 am Webinar Commences

12:45 pm Webinar Concludes

**Substantive Hours:** This program contains 2 hours 45 minutes

**Professionalism Hours:** This program contains 1 hour

Are you relatively new to the world of real estate law or looking to diversify or expand your practice? If so, this program is designed for you. Join our expert speakers to analyze the essential elements of a commercial leasing transaction, with a particular focus on clauses that are relevant as we transition to a new normal post-COVID world, and what you should be doing at each stage to ensure you are representing the best interests of your tenant or landlord clients. Gain best practices from senior practitioners, and join the discussion to ask your most pressing questions.

This is a vital program for those in the early stages of their real estate practices, and experienced practitioners looking to add to their legal toolkit. Register now!

**Program Chairs:** **Andrew Fortis**, Hummingbird Lawyers LLP  
**Anand Srivastava**, Willms & Shier Environmental Lawyers LLP

9:00 am Welcome and Introductory Remarks

9:05 am **Understanding the Big Picture**  
**Melodie Eng**, Minden Gross LLP (Toronto)

- Gain context: understanding the purpose of the commercial lease, nature of the property, goals of your client
- Distinguishing differences between a commercial lease, ground lease, sublease
- Distinguishing assignments, subleases, and licenses
- Key factors important to representing landlords and representing tenants

9:30 am **Commercial Lease Structure**  
**Alexandra Peng**, Canadian Tire Corporation Ltd. (Toronto)

- Overview of structure of a basic commercial lease
- Key provisions and important clauses
- Examination of accompanying documents
  - Run down of Schedules (subordination agreements, indemnity agreements, guarantees, other schedules)

10:00 am **Deeper Dive: Key Elements of a Commercial Lease**  
**Oliver Moore**, Norton Rose Fulbright Canada LLP (Ottawa)

- Understanding essential and important clauses
  - What are deal breakers
  - Rent, maintenance, repairs, ROFR, renewals
- How to best flag important provisions or issues for your client
- Tying in the Offer to lease

10:30 am Networking Break

10:45 am **Negotiation Techniques**  
**Mervyn Allen**, McMillan LLP (Toronto)

- Examination of bargaining power
  - Know your client and their interests
- Tips and tricks on how to manage client expectations
- How to get your client the best deal!

11:15 am **Commercial Considerations Post-Covid**  
**Yael Bogler**, Borden Ladner Gervais LLP (Toronto)

- Force majeure clauses
- Space safety Considerations
- Addressing government-mandated closures
- Specific clauses to consider

11:40 am **What Went Wrong?!**  
**Melissa McBain**, Daoust Vukovich LLP (Toronto)

- Insight into common disputes in commercial leases
- How to avoid common drafting errors or ambiguities that lead to exposing your client to liability

12:10 pm **Building and Managing Your Practice**  
**Mitchell A. Leitman**, Rasmussen Starr Ruddy LLP (Ottawa)

- Building blocks for a successful practice and managing risk

12:40 pm **Questions and Concluding Remarks**

12:45 pm **Program Concludes**