



Myerson Real Estate

A Guide For
Commercial Landlords

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Welcome

We understand the complexities of modern life and the importance of taking care of your business interests. So it's a deep source of satisfaction that so many businesses choose Myerson as their trusted advisor, from assisting with day to day commercial property issues, to advising on large scale developments and investment.

Why Myerson?

At Myerson, we are real estate experts. Putting our clients, their properties and their business at the heart of everything we do means we establish long term relationships and act as trusted advisers.

We are proud to be ranked as 'Top Tier' in the prestigious international directory **The Legal 500**, and commended by The Times 'Best Law Firms 2019'. Therefore, you can rest assured you will receive a high quality and truly bespoke service.

Our Real Estate Group advises clients on the full range of property matters including the sale and purchase of real estate, landlord and tenant work, commercial and residential property development, investment and portfolio management.

You can find out more about our Real Estate Group by clicking [here](#).



How We Work.

Every client is different, and we are here to support you every step of the way.

Personal, Partner-led Service. Our most experienced solicitors get to know you, your properties and your business inside out. We strive to become your trusted adviser, providing added value and most of all, a genuine, personal service.

The Highest Level of Expertise. Combining commerciality, practicality and legal expertise enables us to deliver every time. Our solicitors are always at the forefront of new business practice and sector specialisms.

A Team You Can Trust. You're in safe hands. We help clients nationwide with complex real estate matters on a daily basis. You can rest assured that our expert team knows its stuff!



Your Solicitors



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The solicitors that will be working with you are specialists.

All the solicitors in our Real Estate Group are specialists and have a detailed understanding of landlord and tenant matters and how they should be documented to best protect you, your property and your business.

Your team of solicitors will provide practical advice and work closely with you, so you can concentrate on what's important, running your business.

You can find out more about our Real Estate Group by clicking [here](#).

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Our guide for commercial landlords

What are my responsibilities as a commercial landlord?

As a landlord of a commercial property, you have several health and safety responsibilities and generally need to ensure that your property is safe for your tenants and anyone else who may use it (for example, visitors).

There can be considerable overlap between the responsibilities of landlords and tenants, and the extent of those responsibilities will also depend (in part) on the nature of the property and terms of the lease.

Things you will need to consider include responsibility for the following:

- Health and safety
- Fixtures and fittings
- Gas
- Electricity
- Maintenance and repair
- Asbestos
- Fire safety
- Energy performance



I am looking to grant a lease – how do I get started?

As well as instructing a solicitor before signing a lease, we recommend that you also instruct a property agent (or surveyor) to work with us to agree the commercial terms and conditions of the lease on your behalf (known as heads of terms).

In our experience, the early days of negotiation are a key time to resolve important commercial issues and differences leading to a smoother, more cost-efficient transaction.

What things do I need to cover in the heads of terms?

The heads of terms should cover the main areas of the lease, including:

- Length of the lease (term).
- Rent (including whether there will be a rent deposit held by you during the term).
- Repair obligations.
- Will there be a rent review?
- Is there a service charge and, if so, how will it be dealt with?
- Is there a break clause (can the landlord and/or the tenant bring the lease to an end early)?
- Will the tenant be allowed to assign the lease or grant a sublease to another party?

What is the process when granting a lease to a new tenant?

After the heads of terms have been agreed and circulated to all parties, we will prepare the draft lease and any other documents required, based on these terms and send them to the tenant's solicitor, together with a copy of your title to the property.

Property Plans

You will need to obtain an accurate scale plan of the property, which will be attached to the lease. This may be easy to prepare, if it is a lease of a whole building, but you may need to instruct a surveyor to produce the plan for you, if the property is more complicated, for example, part of a floor of an office building.

CPSE Enquiries

We will also usually be asked by the tenant's solicitor to provide replies to standard enquiries (called CPSEs). Don't worry about these enquiries, we will take you through them all and tell you what we need to know. The tenant's solicitor will then review everything and may ask us further questions about the property.

The lease negotiation

The tenant's solicitor will also amend the draft lease to try and make some of the clauses more acceptable for their client. We will contact you to discuss the amendments made and to explain the effects of them and your views on whether to accept or reject the amendment, or to propose a compromise.

Mortgage requirements

Once the lease documents have been agreed, you may need to speak to your bank if you have a mortgage on the property. They are likely to need to give their consent to the terms of the lease before it is completed.

Completion

It will then be time to get the lease signed and completed.

You will need to calculate the amount of rent, service charge, insurance and any other sums due (for example, a rent deposit) which the tenant will need to pay on completion.

Post Completion

Once completion has taken place, you will need to liaise with the tenant to organise handing over the keys.

Following completion, the tenant's solicitor may need to apply to the Land Registry to register the tenant's lease, depending on the length of the term.

How long will it take to get a tenant in my property?

This very much depends on the parties and their approach. You might send a draft lease to the tenant and they simply sign it and take the keys.

On the other hand, they might instruct a solicitor to review the title to the property, carry out searches in respect of it (for example, to check the planning position, drainage situation etc) and negotiate the lease by amending it heavily in their client's favour.

There is no standard answer to this question, but in our experience, it is likely to take at least a few weeks for everything to be agreed and signed.



Don't just take our word for it...

"From our first telephone conversation, Myerson dispelled any doubts with a warm and friendly approach."

"Their response time and communication is excellent and I would have no hesitation in recommending Myerson in the future."

"The service we received at Myerson was sensitively handled, highly competent, professional, timely and efficient. The advice, guidance and support were excellent, well communicated and expertly executed."

"I would like to thank the team. I would heavily recommend them, and I have, to other friends and family. Their service has been efficient, speedy and reliable. Myself and my family found them very understanding, kind and friendly."

"I have total confidence in the advice and support I received."

To view more Myerson reviews visit our Review Solicitors page by [clicking here](#).



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You're in safe hands!

If you would like further information about how we can help you, or if you have any questions, please don't hesitate to contact a member of our Real Estate Group today.

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Because
life is rarely
**black and
white.**



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