

Commercial Lease or Rental Agreement Checklist

Go over the following components that should be stated in your commercial lease or rental agreement, and consider your requirements for each issue. Also consider which components may offer leverage during negotiations and which components you can afford to back down on.

1. Names of Landlord & Tenant
2. Address of the premises
3. Rent amount, payment terms, late payment penalties and any allowable or scheduled increases
4. Items included in rent
 - a. Description of rental space: square footage, available parking
 - b. Utilities – phone, water, internet, gas, electricity
 - c. Taxes, maintenance fees
5. Lease term - start and end date
6. Damage deposit requirements
7. Any promises made by the agent – foot traffic estimates, average utility costs, competitive restrictions
8. Zoning information
9. Permitted uses of the premises
10. Subletting terms and conditions
11. Build-outs - Restrictions on and ownership of additions, modifications, improvements, or fixtures added while the space is occupied
12. Repairs - terms and conditions
13. Insurance and security requirements
14. Non-compete clause (restrictions on leasing/renting to your competitors in close proximity)
15. Dispute resolution
16. Lease termination options
17. Renewal options
18. Signing incentives
19. General legal provisions
20. Additional rules and regulations
21. Signatures and dates of signing

