

Master the regulations and drafting of commercial leases



IM-10 2 Days (14 Hours)

Description

This practical training will allow you to master the regulations of commercial leases and to understand the obligations and rights of the different parties. You will also learn how to draft certain clauses and secure the renewal, termination and breaking of a lease.

Who is this training for ?

For whom

Real estate directors, property managers, financial directors, accountants and all people responsible for commercial leases as part of their activity.

Prerequisites

Aucune

Training objectives

- Identify and analyze the key clauses of your commercial leases
- Control the monitoring of commercial leases and secure their renewal or termination
- Avoid the pitfalls of certain clauses
- Prevent the risk of litigation

Training program

Comprendre le cadre juridique

- The legal regime of commercial leases and the conditions for benefiting from them.
- Commercial lease and professional lease.
- Precarious occupation agreements and exceptional leases .
- Practical work Determine the legal and conventional extensions of a commercial lease.

Connaître les droits et obligations des parties

- The rules of public order which are imposed on the parties.
- The legal limits to the obligations imposed by the contract.
- The contractual adjustments.
- Case study Identify the rights and obligations of the parties in the clauses of a lease.

Fixer le loyer et gérer son évolution en cours de bail

- The initial setting of the rent.
- The evolution of the rent during the lease: three-year legal review, indexation clause, indices (ILC/ICC/ILAT).
- Rental charges.
- Exercise: Calculate the indexation of rent.

Identifier les clauses stratégiques et sensibles d'un bail commercial

- The duration of the lease.
- The purpose of the premises: related and complementary activities.
- The transfer: information and opposition from the lessor.
- Repairs and maintenance of real estate, distribution of costs between the parties, .
- Exchanges Jurisprudential overview relating to the distribution of work between lessor and lessee.

Anticiper la fin du bail

- The leave issued by the lessor and for recovery.
- The renewal request.
- Case study Identify the substantive and formal conditions for the issuance of leave.

Résilier un bail

- The termination clause.
- The tenant's bankruptcy.
- Practical work Writing a termination clause.

Exercer le droit au renouvellement

- The conditions of the right to renewal.
- The fixing of the rent for renewal.
- The right of option and the right to repent.
- Case study Identify the possible pitfalls of renewing the lease.

Connaître et sécuriser la procédure

- The terms of refusal of renewal.
- The setting and collection of rent.
- The payment of eviction compensation.
- Case study Identify the alert points in the event of financial failure of the tenant.