

NSW LEASING

December 2017

CONTENTS

Notice to Licensees:

The NSW Leasing Precedents ("the Precedents") were developed by TressCox Lawyers, who also maintains the content of the Precedents.

The Law Society of NSW holds the copyright for the Law Society Lease (2007 edition) and maintains these precedents.

Firms are licensed by Thomson Reuters to use, alter, amend, adapt and reproduce the Precedents both in printed and electronic formats in the course of providing bona fide legal services to their clients and are not entitled to re-sell, hire, lend or commercially exploit the Precedents.

Thomson Reuters reserves all rights (including, without limitation, all copyright) in the Precedents, on its own behalf and on behalf of all other persons holding copyright to any other intellectual property interest in the Precedents.

SECTION 1

User Notes

MISCELLANEOUS DOCUMENTS

NLSE 00 MASTER	Master File	1
NLSE 03 INFO	Matter Information Sheet	9
NLSE 03 ACCT	General Account	11
NLSE 03 ACCTDISB	General Disbursement Account	14
NLSE 03 COVER	File Cover	16
NLSE 03 FILENOTE	Memo to File	19
NLSE 03 MEMO	Office Memo	20
NLSE 03 STATDEC	Statutory Declaration	21

SECTION 2

GENERAL – LETTERS AND FACSIMILES

NLSE 01 L1	Letter to Client	1
NLSE 01 L2	Letter to Other Party	2
NLSE 01 L3	Letter General	3
NLSE 01 L4	Letter to Agent	4
NLSE 02 F1	Facsimile to Client	5
NLSE 02 F2	Facsimile to Other Party	5
NLSE 02 F3	Facsimile General	6
NLSE 02 F4	Facsimile to Agent	6

LETTERS

NLSE 04 L010	Letter to Tenant (Client) initial advice and enclosing Lease for approval [LEA1]	7
NLSE 04 L020	Letter to Landlord (Client) enclosing Lease for approval [LEA8]	10
NLSE 04 L025	Letter to Tenant's Solicitor enclosing Initial Draft Lease for consideration [LEA120]	12b
NLSE 04 L030	Letter to Tenant's Solicitor enclosing Lease for approval/signing [LEA9]	13
NLSE 04 L040	Letter to Tenant enclosing lease documentation for approval/signing [LEA77]	13
NLSE 04 L050	Letter to Lender enclosing draft lease for approval and requesting consent [LEA11]	17
NLSE 04 L060	Letter to Lender requesting consent to lease and production of Title Deeds [LEA12]	18
NLSE 04 L070	Letter to Tenant (Client) encl lease documentation (retail) for approval/signing [LEA18] ...	19
NLSE 04 L080	Letter to Landlord (Client) encl lease documentation for approval/signing [LEA62]	23

SECTION 2

LETTERS (Continued)

NLSE 04 L090	Letter to Tenant's Solicitor enclosing Disclosure Statements and draft Retail Lease [LEA64].....	26
NLSE 04 L100	Letter to Tenant enclosing Disclosure Statements and draft Retail Lease [LEA25].....	26
NLSE 04 L110	Letter to Tenant/Tenant's Solicitor advising lease has been registered [LEA39]	27
NLSE 04 L120	Letter to Tenant/Tenant's Solicitor when Tenant has not provided a Bank Guarantee [LEA117].....	28
NLSE 04 L130	Suggested Letter to Tenant advising of CPI rent increase [LEA13]	29
NLSE 04 L150	Letter to Assignee's Solicitor re Assignment of Lease [LEA16].....	30
NLSE 04 L160	Letter to Tenant's Solicitor (Assignor) re Assignment of Lease [LEA17].....	35
NLSE 04 L170	Letter to Landlord encl draft Sublease for approval and requesting consent [LEA20]	39
NLSE 04 L180	Letter to Landlord encl original Notice of Exercise of Option Renewal of Lease [LEA36]...	40
NLSE 04 L185	Letter to Tenant (Client) advice on an option of renewal of lease [LEA43]	40a
NLSE 04 L190	Letter to Tenant's Solicitor enclosing Surrender of Lease documents [LEA44]	41
NLSE 04 L200	Letter to Tenant enclosing Surrender of Lease docs for approval/signing [LEA81]	41
NLSE 04 L210	Letter to Tenant enclosing Notice of default [LEA48]	44
NLSE 04 L220	Letter of Demand to Tenant [LEA70]	45
NLSE 04 L230	Letter to Landlord (Client) when Tenant is in default under lease [LEA65]	46
NLSE 04 L240	Letter to Tenant's Solicitor encl Variation of Lease docs for approval/signing [LEA83]	47
NLSE 04 L250	Letter to Tenant encl Variation of Lease docs for approval/signing [LEA84].....	47
NLSE 04 L260	Letter to Landlord (Client) certification for leases and variations of lease [LEA111].....	52
NLSE 04 L270	Letter to Landlord (Client) certification for transfers and surrenders of leases [LEA112]	56
NLSE 04 L280	Letter to Tenant enclosing Rent Review Notice for Market Review [LEA100].....	61

SECTION 3

LEASE

NLSE 05 LPI 07L	Lease	1
NLSE 05 LPI 07SL	Sublease.....	4
NLSE 05 LPI 07VL	Variation of Lease.....	7
NLSE 05 LSE0010	Law Society Lease 2007 - Retail - Annexure A and/or B [LEA54].....	10
NLSE 05 LSE0020	Law Society Lease 2007 - Commercial - Annexure A and/or B (not for retail) [LEA85]	27
NLSE 05 LSE0030	Law Society Lease 2007 - Rural - Annexure A and/or B [LEA40]	30
	<i>Optional Lease Clauses</i>	31
NLSE 05 LSE0035	Rural Lease (Short Form) - Annexure A [LEA78]	54
NLSE 05 LSE0040	Lessor & Lessee Disclosure Statements (Schedule 2, Retail Leases Act) [LEA31].....	57
NLSE 05 LSE0050	Deed of Agreement for Lease (Vacant Possession Obtained by Landlord) [LEA3].....	79
NLSE 05 LSE0060	Deed of Agreement for Lease (Subject to Completion of Landlord's Works) [LEA4].....	87
NLSE 05 LSE0070	Acknowledgement and Authority from Tenant and Guarantor [LEA15].....	95
NLSE 05 LSE0080	Lender's Consent to Lease [LEA10]	98
NLSE 05 LSE0090	Deed of Guarantee and Indemnity [LEA6].....	100
NLSE 05 LSE0110	Landlord's Bank Guarantee requirements (annexure to letter encl docs) [LEA87]	106
NLSE 05 LSE0120	Landlord's Insurance requirements (annexure to letter encl docs) [LEA86].....	107
NLSE 05 LSE0130	Renewal of Lease - Annexure A [LEA72]	108
NLSE 05 LSE0140	Lease of Retail Premises in a Shopping Centre - Annexure A [LEA58]	206
NLSE 05 LSE0150	Lease of Stand-Alone Retail Premises - Annexure A [LEA61]	236
NLSE 05 LSE0160	Lease of Retail Premises being a Single Lot in a Shopping Centre - Annex A [LEA99] ...	261
NLSE 05 LSE0170	Lease of Multi-Occupancy Commercial Premises (Gross Lease) - Annexure A [LEA59] .	290
NLSE 05 LSE0175	Lease of Multi-Occupancy Commercial Premises (Net Lease) - Annexure A [LEA71]	328
NLSE 05 LSE0180	Lease of Single Occupancy Industrial Premises - Annexure A [LEA51]	315

SECTION 3

SUBLEASE & VARIATION OF LEASE

NLSE 05 LSE0200	Sublease - Annexure A [LEA37]	109
NLSE 05 LSE0210	Deed of Consent to Sublease [LEA47]	113
NLSE 05 LSE0250	Variation of Lease - Annexure A [LEA33]	119

SURRENDER & ASSIGNMENT OF LEASE

NLSE 06 LPI 01TL	Transfer of Lease	121
NLSE 06 LPI 07DL	Surrender of Lease.....	123
NLSE 06 LSE0300	Deed of Surrender of Lease [LEA42].....	125
NLSE 06 LSE0310	Deed of Surrender of Lease (fixed surrender date) [LEA116].....	316
NLSE 06 LSE0320	Deed of Assignment of Lease [LEA57/LEA80].....	133
NLSE 06 LSE0330	Assignor's Disclosure Statement (Schedule 2A, Retail Leases Act 1994) [LEA52]	141
NLSE 06 LSE0340	Authority from Tenant, Assignee and Guarantor on Assignment of Lease [LEA30].....	143

OTHER

NLSE 07 LPI 05ML	Mortgage of Lease.....	144
NLSE 07 LPI 08WX	Withdrawal of Caveat	146
NLSE 07 LPI 08X	Caveat	148
NLSE 07 LSE0500	Holding Over Agreement (not for Retail) [LEA95].....	153
NLSE 07 LSE0510	Access Agreement (not for Retail) [LEA96]	155
NLSE 07 LSE0520	Statutory Declaration in Support of Removal of Lease from Title (Default) [LEA67].....	158
NLSE 07 LSE0525	Statutory Declaration in Support of Removal of Lease from Title (Expired) [LEA118].....	326
NLSE 07 LSE0530	Landlord's Consent to Tenant's Mortgage of Lease [LEA24]	160
NLSE 07 LSE0540	Car Parking Licence [LEA19].....	166
NLSE 07 LSE0550	Bicycle Access Licence [LEA93].....	177
NLSE 07 LSE0560	Licence to Tenant for a short term function (not including RSA) [LEA94]	180
NLSE 07 LSE0570	Notice of Termination (Residential Tenancy) [LEA27].....	182
NLSE 07 LSE0580	Notice of Exercise of Option of Renewal of Lease [LEA35].....	183
NLSE 07 LSE0585	Rent Review Notice for Market Review at Commencement of an Option [LEA585].....	325
NLSE 07 LSE0590	Notice of Breach of Covenant - failure to provide bank guarantee etc [LEA50]	184
NLSE 07 LSE0600	Notice of Breach of Covenant - failure to pay rent [LEA49]	185
NLSE 07 LSE0610	Notice of Breach of Covenant - failure to pay outgoing etc [LEA82].....	186
NLSE 07 LSE0620	Notice to Quit (non-residential) [LEA55]	187
NLSE 07 LSE0630	Landlord's Notice of Termination of Lease [LEA110]	188
NLSE 07 LSE0640	Landlord's Notice of Termination of Lease - default [LEA107].....	189
NLSE 07 LSE0650	Landlord's Notice of Termination of Lease - under provision of lease [LEA108]	190
NLSE 07 LSE0660	Tenant's Notice of Termination of Lease [LEA109].....	191
NLSE 08 F143_FT	Residential Tenancy Agreement - Fair Trading.....	192
NLSE 08 F145_FT	Residential Tenancy Claim for Refund of Bond - Fair Trading.....	205