

## **Tenant checklist:**

- What responsibility does the Tenant have for repairs or replacements?
- Does Landlord have an obligation to repair damages to the building and/or premises?
- Does Tenant's obligation include responsibility for structural portion of the building, such as roof, exterior walls and systems even if Tenant does not have access to them?
- Has the Landlord assigned all warranties to Tenant and is the assignment legally effective?
- If the premises were destroyed by casualty, is Landlord obligated to repair and restore them as soon as possible?
- Does Tenant's rent obligation abate from the date that the premises or access to the premises are damaged or repaired for the remainder of the period until damages are repaired?
- Is the rent abatement in proportion to the amount of unusable square feet?
- Does Tenant have a right to cancel the lease if Landlord fails to repair within a reasonable amount of time or if vital operations in the premises, such as computer or operations areas, are destroyed
- Issues regarding mold which can grow during hurricane conditions
- Keep air conditioning and ventilating systems running. Mold grows when humid, stagnant and damp conditions are allowed to fester.
- Maintain general temperature at 68-72 F.
- Use dehumidifier or air filtration systems to cleanse the systems of bacteria, fungi and other conditions.
- Treat all unpainted surfaces with a coating or paint to prevent mold from adhering to surface.
- Recognize that mold can build up rapidly in damp, humid climates. The rash of hurricanes in Florida last year created a number of mold situations that sprung up within days of due to wet humid conditions and the exposure of offices to humid outdoor conditions.
- Use exhaust fans to vent excess moisture from these areas.
- Check for leaks of specific causes for damages. Check for hidden damage.

- Use a moisture meter to test dampness within suspect walls or surfaces.
- Check for peeling paint, stains on or bulges in the walls or ceiling.

From Negotiating and Drafting Office Leases-John B. Wood and Alan Di Sciullo