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Landlord and Tenant Law in Tennessee

Nashville, TN • December 13, 2012

Faculty

Moderator:

Gary S. Rubenstein

Schulman, LeRoy & Bennett, PC

John F. Rogers Jr.

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Peter C. Sales

Bradley Arant Boult Cummings LLP

For more information about our speakers, go to www.lorman.com/ID390451.

Discover how to survive today's uncertain leasing economy.

From the rental agreement to security deposits and eviction actions, you need to stay on top of all aspects of landlord-tenant law. Register today for this informative seminar and get clarification on how to perform key property management duties without hassle. You will find out what you should include in the rental agreement to avoid problems down the line – such as rent and security deposit details, and what happens in case of default.

Get tips on screening potential tenants, complying with state and federal nondiscrimination laws, and legally executing an eviction – should the worst happen. Don't risk jeopardizing the landlord-tenant relationship and incurring unnecessary costs and even lawsuits! Attend this seminar and learn to keep your organization out of trouble.

Benefits for You

- Tips on drafting better leases
- Protect your bottom line – effectively manage tenant default
- Successfully navigate the eviction process
- Avoid legal battles by getting a firm grasp of both landlord and tenant obligations



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Seminar Agenda

8:00 AM – 8:30 AM	Registration		
8:30 AM – 9:30 AM	Residential (Landlord's Perspective) and Commercial (Tenant's Perspective) Due Diligence <i>— John F. Rogers Jr., Gary S. Rubenstein and Peter C. Sales</i> - Residential - Initial Tenant Interviews and Rental Applications - Fair Housing Act Compliance - Credit Checks - Security Deposits - Co-Tenant and Premises Condition Issues - Commercial - Site Selection and Zoning - Existing Facility or New Facility - Ground Lease vs. Space Lease - Scope of Necessary/Desired Due Diligence - Title and Survey Considerations - Contingencies to Lease Obligations	12:00 PM – 1:00 PM	- Use and Occupancy, Personal Property and Fixtures, Assignment and Subletting - Environmental Matters and Governmental Compliance - Lease Execution
			Lunch (On Your Own)
		1:00 PM – 2:00 PM	The Commercial Lease Agreement and Issues in Drafting (Continued) <i>— Peter C. Sales</i> - Default/Remedies Provisions - Historical and Recent Tennessee Case Law Impacting Lease Drafting
		2:00 PM – 2:20 PM	Subordination, Nondisturbance and Attornment Topics <i>— John F. Rogers Jr.</i> - Purpose of Such Agreements - Issues to Expect - To Record or Not to Record
9:30 AM – 10:30 AM	The Residential Rental Agreement and Issues in Drafting <i>— Gary S. Rubenstein</i> - Definitions, Terms and Conditions - Effect of Unsigned Agreement - Prohibited Provisions in Residential Rental Agreement - Security Deposits - Disclosures Required in Rental Agreement	2:20 PM – 2:30 PM	Break
		2:30 PM – 3:30 PM	Tenant Lease Defaults and Landlord Options <i>— Peter C. Sales</i> - Failure to Pay Rent, Default for Matters Other Than Rent, Default of Guarantors, Anticipatory Breach and Holdover Tenants - Late Fees, Interest, Attorney Fees and Other Damages - Acceleration of Rent - Claims Against Personal Property/Landlord Liens - Guarantees and Guarantors
10:30 AM – 10:40 AM	Break		
10:40 AM – 12:00 PM	The Commercial Lease Agreement and Issues in Drafting <i>— John F. Rogers, Jr.</i> - Letter of Intent - Types of "Commercial" Leases and Common Structures - Credit Enhancements (Security Deposits; Guaranties, Letters of Credit, etc.) - Calculating Square Footage - Tenant Improvements and Work Letters - Rent, Security Deposits, Rent Adjustment, Term and Renewal Options - Taxes, Operating Expenses, Utilities, Maintenance, Repair and Services	3:30 PM – 4:30 PM	Evictions and Unlawful Detainer <i>— Gary S. Rubenstein</i> - Self-Help and Termination Notice - Waiver and Unlawful Detainer - Judgment – Possession vs. Money Damages - Appeal and Stay of Execution - Defenses and Counterclaims by Tenant - Restoration of Possession - Preparation of Witness Testimony - Burden of Proof – Documentation - Recovery of Damages, Rule 54(b) Judgment and Local Court Rules

Presented By:

John F. Rogers Jr.

- Shareholder in the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC in the Nashville office
- Concentrates practice in areas of commercial real estate and financial services and transactions
- Can be contacted at 615-726-7365 or jrogers@bakerdonelson.com

Gary S. Rubenstein – Moderator

- Principal with the law firm of Schulman, LeRoy & Bennett, PC

- Practice consists of insurance defense, surety bond issues, and landlord/tenant matters
- Can be contacted at 615-244-6670 or grubenstein@slblawfirm.com

Peter C. Sales

- Partner in the law firm of Bradley Arant Boult Cummings LLP
- Practices in litigation specializing in trial litigation and counseling
- Can be contacted at 615-252-2365 or psales@babco.com

For a complete list of accomplishments, visit www.lorman.com/ID390451.

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Where Is It?

Holiday Inn Select
Opryland/Airport
2200 Elm Hill Pike
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615-883-9770

Who Should Attend?

This seminar is designed for attorneys, property managers, presidents, vice presidents, general managers, landlords, accountants, controllers, housing coordinators, real estate agents and brokers, business owners and other real estate professionals.

GENERAL INFORMATION:

- This seminar may be recorded.
- If you need special accommodations, please contact us two weeks in advance of the program.
- Lorman Education Services is not approved to offer self-study CPE credit for accountants; therefore, no CPE will be given for this program if ordered as a self-study package.

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