

Commercial Leasing

ATTORNEYS

Zack R. Andrews
Samuel J. Banks
Blake W. Frieman
David S. Houston
John G. Kelly
Jennifer O. Schiffer

RELATED PRACTICES

Bankruptcy, Creditors Rights,
Enforcement & Collection
Business Organizations &
Transactions
Commercial Lending
Construction
Real Estate

Commercial real estate value often depends upon the strength of its leases. Leasehold value invariably depends upon whether the terms of the lease are well suited to the tenant. In each case, Bean, Kinney & Korman delivers value by providing the landlord or tenant with insightful and practical advice.

Understanding of the Landlord and Tenant Relationship

For more than five decades, we have enjoyed extensive contacts with real estate owners and commercial tenants. We understand the intricate relationships essential to maximizing property and leasehold value. We know landlords want to assure the integrity of their property, create a synergistic tenant mix, achieve satisfactory return on investment, attract favorable financing, and preserve effective remedies for tenant noncompliance. We know tenants seek a suitable environment for their businesses, flexibility in use rights, predictable costs, fair allocation of risks and assurance of services. Both parties want stability. Achieving a proper balance of sometimes competing interests requires an appreciation of market forces and relative bargaining positions. In these respects, we excel.

Familiarity with the Business of Leasing

Our attorneys are familiar with all aspects of real estate leasing considerations, whether dealing with single-use properties, shopping centers or multi-tenanted office buildings. We know how to preserve and protect the landlord's expectations and interests, not only documenting the deal the landlord wants, but positioning the landlord to make the deal stick. For tenants, we find creative solutions to apparently irreconcilable differences with the landlord's interests. We have particular strength in representing retail tenants operating from multiple locations, who need certain consistencies in their leases for administrative or strategic reasons.

Enforcing Landlord Rights

When tenants fail to perform, property owners rely on us to lead them through the process of enforcing their rights. Our lawyers fully understand the legal options open to landlords, whether injunctive actions, suits for possession, actions for damages or collection from guarantors. Landlords are particularly well-served by the firm's experience in bankruptcy matters. We understand how to protect landlords in tenant bankruptcy proceedings, minimize their losses, and, when appropriate, regain possession of premises as efficiently as the law allows.

We invite you to draw upon our knowledge and skills in this industry. Whether you were just presented with a letter of intent or are faced with a major lease default, we deliver valuable, timely and useful advice to your best advantage.

PUBLISHED ARTICLES

Commercial Foreclosure Alternatives (VA)
LexisNexis/Practical-Guidance, January 21, 2021

Force Majeure and the Doctrine of Impossibility
Business Crimes Bulletin, LJN, April 20, 2020

Coronavirus Force Majeure and Real Estate Leases
March 16, 2020

Assignment and Consent Standards in Commercial Leases
Commercial Leasing Law & Strategy, March 6, 2020

Arlington County Board Revisits the Retail Action Plan
BKK Construction & Land Use Newsletter, March 3, 2015

John Kelly was interviewed regarding "Lease Acceleration Clauses: Top Issues & Concerns" on Commercial Real Estate Radio with Howard Kline.
Commercial Real Estate Radio with Howard Kline, February 24, 2014

Landlords' Liens and Waivers
Commercial Leasing Law & Strategy, December 1, 2012

Understanding Landlords' 'Self-Help' Rights
Commercial Leasing Law & Strategy, September 1, 2012

A Landlord's Duty to Mitigate in The District Of Columbia,
Maryland and Virginia
Commercial Leasing Law and Strategy, Volume 24, Number 4,
October 1, 2011

NEWS

John Kelly was quoted within article: Inside the hardball legal
tactics retail landlords are using against tenants
The Real Deal, Thursday July 23, 2020

David S. Houston Joins Bean, Kinney & Korman as a
Shareholder
Wednesday February 13, 2019

John Kelly Selected for Commercial Leasing Law & Strategy's
Editorial Board
Tuesday June 19, 2012

SEMINARS & EVENTS

Renegotiating Office Leases in a Work-From-Home World:
Contract, Common Law, Context Issues, Standstill Agreements
Online, Tuesday, December 8, 2020

Shared Workspace Leases in Wake of COVID-19: Risk
Mitigation, Insurance, Negotiating Key Provisions
Online, Thursday, July 16, 2020

Webinar: Understanding Your Leases and Contracts in the
COVID-19 Landscape
Webinar, Friday, March 27, 2020

Negotiating Key Provisions in Shared Work Space Agreements
Webinar, Tuesday, November 12, 2019