

## Commercial Real Estate Leases

Friday, February 22, 2019 | Convene | 810 Seventh Ave., at 53<sup>rd</sup> St. | NYC  
9:00 A.M. – 5:00 P.M.

### **PROGRAM AGENDA**

Program Chair: Robert J. Shansky ([rjshansky@szslaw.com](mailto:rjshansky@szslaw.com))

#### **7.5 MCLE Credits; 7.5 areas of professional practice**

- |                         |   |
|-------------------------|---|
| 8:30 a.m. – 9:00 a.m.   | Registration  |
| 9:00 a.m. – 9:10 a.m.   | Introductory Remarks<br><b>Robert J. Shansky, Esq.</b><br>Scarola Zubatov Schaffzin, PLLC<br>NYC  |
| 9:10 a.m. – 10:00 a.m.  | Work Letters on what a Leasing Lawyer Should know about<br>Design and Construction Agreements<br><br><b>Keith Reich, Esq.</b><br>Greenberg Traurig LLP<br>NYC<br><i>(1.0 MCLE credit; 1.0 areas of professional practice)</i>   |
| 10:00 a.m. – 11:15 a.m. | Arbitration, Mediation and Alternative Dispute Mechanisms<br>in Commercial Leasing<br><br><b>Janice MacAvoy, Esq.</b><br>Fried, Frank, Harris, Schriver & Jacobson, LLP<br>NYC<br><br><b>Danielle Lesser, Esq.</b><br>Morrison Cohen, LLP<br>NYC<br><i>(1.5 MCLE credits; 1.5 areas of professional practice)</i> |
| 11:15 a.m. – 11:25 a.m. | Break   |
| 11:25 a.m. – 12:15 p.m. | Omni – Channel Leasing<br><br><b>Nina Kampler, Esq.</b><br>Kampler Advisory Group, LLC<br>NYC<br><i>(1.0 MCLE credit; 1.0 areas of professional practice)</i>   |

12:15 p.m. – 1:15 p.m.	Lunch
1:15 p.m. - 2:05 p.m.	<p>Economics of the Deal</p> <p><b>Eric Menkes, Esq.</b>            Duval &amp; Stachenfeld, Esq.            NYC  <i>(1.0 MCLE credit; 1.0 areas of professional practice)</i></p>
2:05 p.m. – 2:55 p.m.	<p>Representing the Not-for-Profit in Leasing</p> <p><b>Hope Plasha, Esq.</b>            Patterson Belknap Webb &amp; Tyler, LLP            NYC  <i>(1.0 MCLE credit; 1.0 areas of professional practice)</i></p>
2:55 p.m. – 3:05 p.m.	Break
3:05 p.m. – 3:55 p.m.	<p>Letters of Credit and Guarantees</p> <ul style="list-style-type: none"> <li>• Discussion of Cash vs. Letter of Credit and drawbacks regarding bankruptcy</li> <li>• Lease provisions for Security, including Letters of Credit</li> <li>• Guaranty Forms</li> <li>• What is the Good Guy Guaranty</li> </ul> <p><b>Bruce Leuzzi, Esq.</b>            Law Office of Bruce Leuzzi            NYC  <i>(1.0 MCLE credit; 1.0 areas of professional practice)</i></p>
3:55 p.m. - 4:45 p.m.	<p>Basic and Non-Basic Tax Issues for Leasing Lawyers</p> <ul style="list-style-type: none"> <li>• Tax basics of leasing</li> <li>• When is a lease a sale and vice versa?</li> <li>• End of synthetic leases: straight-lining of rents and new accounting rules</li> <li>• Section 467 leases</li> <li>• Identifying the party entitled to depreciation deductions in a ground lease of improved property</li> <li>• Tax treatment of tenant improvement costs</li> <li>• REIT rents problems</li> <li>• Tax treatment of lease termination payments</li> <li>• Use of leases in land-building splits</li> </ul>

- Exchanging leases under new Section 1031
- Leasehold improvements exchanges
- Lease arrangements in TICs and DSTs

**Bradley T. Borden, Esq.**

Brooklyn Law School  
NYC

*(1.0 MCLE credit; 1.0 areas of professional practice)*

4:45 p.m. – 5:00 p.m.

Question & Answer Session

5:00 p.m.

Adjournment