

2018 Bernard O. Dow Leasing Institute
November 9, 2018 • South Texas College of Law Houston • Houston, TX

Friday Morning, Nov. 9, 2018

Presiding Officer:

Frank Z. Ruttenberg, Haynes and Boone, LLP - San Antonio, TX

7:45 am	Registration Opens Includes continental breakfast.
8:25 am	Welcoming Remarks
8:30 am 0.75 hr	Eight Things That Matter in a Lease Three Texas real estate legends kick off the program with what everyone really wants to know: just what are the eight things that truly matter in your lease? And what happens if one or more of these essentials goes awry? Robert Harms Bliss, Attorney at Law - Dallas, TX Kent Newsome, Greenberg Traurig, LLP - Houston, TX Philip D. Weller, Attorney at Law - Dallas, TX
9:15 am 0.75 hr	The Yoga Lease: Adding Flexibility to Your Leases Tenants in today's business environment demand leases that will not restrict their ability to respond to changing circumstances. Structuring leases that afford flexibility for tenants requires knowledge of the current market and possible solutions for given business objectives. This presentation will address lease provisions that appear to be rigid, but in fact, permit creativity for tenants in structuring "yoga" leases. Candace S. Baggett, The Calibre Group, Inc. - Houston, TX P. Kane Dossett, Partners National Real Estate Group - Dallas, TX
10:00 am	Break

SPECIALTY LEASES

10:15 am 0.67 hr	Ground Leases: Essential Aspects and Peculiarities Review some of the negotiating objectives the parties to a typical ground lease may have, and hear suggestions for achieving those objectives effectively. Cary Barton, Barton Benson Jones PLLC - San Antonio, TX
10:55 am 0.67 hr	Retail Leases: Essential Aspects and Peculiarities Examine common issues encountered in retail lease negotiations and get practical drafting tips and sample provisions for your practice. Consuella Simmons Taylor, Baker Botts - Houston, TX

11:35 am
0.67 hr

Medical Leases: Essential Aspects and Peculiarities

Why is medical leasing different from other office or retail leasing? Explore the laws and other issues specific to leasing within the healthcare industry and how provisions within leases need to be revised to accommodate these matters.

Marni Dee Zarin, Winstead PC - Houston, TX

12:15 pm

Pick Up Lunch

Friday Afternoon, Nov. 9, 2018

Presiding Officer:

Candace S. Baggett, The Calibre Group, Inc. - Houston, TX

LUNCHEON PRESENTATION

12:35 pm
0.50 hr

State of the Leasing Market

Amidst industry consolidation and the pursuit of increased efficiency and competitiveness, the current real estate cycle has everyone looking for their next move. Hear the latest market analysis, and learn what its implications are for practitioners.

Wade Bowlin, PMRG - Houston, TX
Douglas A. Demiano, PMRG - Houston, TX

1:05 pm

Break

1:20 pm
0.50 hr

Elimination of Architectural Barriers and the TDLR Process

Review the Elimination of Architectural Barriers as provided for in the Texas Government Code, Chapter 469, including applicable facilities, who is responsible, the plan review and inspection process, and associated timelines.

Douglas W. Darr, Accessibility Check - Houston, TX
Ed Walts, The University of Texas System - Austin, TX

1:50 pm
0.75 hr

Navigating Lease Negotiations in Chapter 11

Explore the process of negotiations against the backdrop of rights in Chapter 11 cases, including the rights of respective parties and how they intersect.

Karl Daniel Burrer, Greenberg Traurig, LLP - Houston, TX
Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas - Houston, TX

2:35 pm
0.50 hr

ROFRs, ROFOs, and Expansion/Contraction Options

These options can have significant effects on the Landlord’s rights and management of their property, but they are often treated as an afterthought in the drafting and negotiating process. Review important issues when negotiating and drafting these provisions.

Abby Johanson, Haynes and Boone, LLP - San Antonio, TX
Frank Z. Ruttenberg, Haynes and Boone, LLP - San Antonio, TX

3:20 pm

Break

3:30 pm
0.75 hr

Insurance and Indemnification

In light of recent disasters, many lessors and lessees are taking a closer look at their insurance and indemnification provisions. What should you be looking for in your next lease?

Jennifer Hardegree, Winstead PC - Houston, TX
Bruce Ramsey Wilkin, Winstead PC - Houston, TX

4:15 pm
0.75 hr

Commercial Landlord’s Remedies for a Tenant’s Breach

Hear practical discussion of a commercial landlord’s remedies for a tenant's breach, including possessory remedies such as judicial evictions, lock-outs, and dealing with personal property in the premises, and monetary remedies such as recovering rent and damages, as well as discussion of mitigation jurisprudence in Texas and other jurisdictions.

Jennifer Larson Ryback, McGuire, Craddock & Strother P.C. - Dallas, TX
Thomas M. Whelan, McGuire, Craddock & Strother, P.C. - Dallas, TX

5:00 pm

Adjourn