



Before Leasing or Purchasing Real Estate



- Is this property suitable for the business’s needs?
  - What rights and restrictions affect a tenant or owner’s ability to install signs for the business?
  - Are there parking restrictions (both public and private) that will affect the business’s customers and employees?
  - Are there any other use restrictions?
  - Are there other private restrictions that will affect the permitted uses or intended use of the property?

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Before Leasing or Purchasing Real Estate

- How can I ensure that competing businesses won’t be permitted to rent or own in the building/development?
- Is the property located in a condominium or property owners association and, if so, what does this mean to the business owner?
- When buying property, is a survey required?
- What does the title policy say and do?



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During Use of Real Estate



- What is the relationship between zoning and premises liability, and how does this affect your business’s use of the property?

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**During Use of Real Estate**

- What duties does the business owe to its employees, customers, and others?
  - Visitor status in Florida Premises Liability
  - Owner vs. Lessee vs. Third Parties (management companies, vendors, etc.)



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**During Use of Real Estate**

- Common “unreasonably dangerous” conditions in premises liability litigation
- What is the Florida Transitory Foreign Substance Statute and how does it affect your business’s occupancy of real estate?



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**During Use of Real Estate**

- Who is responsible to maintain and repair what?
  - Landlord/Tenant/Condominium Association
- Who is responsible for ensuring the property complies with the ADA?
- If there are tenant improvements to a leased space, who is responsible for construction liens?



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**During Use of Real Estate**

- What types of professionals should your business expect to need when making real estate decisions?
  - Planners (experts for planning/zoning); engineers (experts for site concerns, dimensions); real estate broker; attorneys; insurance agents



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**After Vacating or Selling Real Estate**

- What rights does a tenant have to renew a lease?
- Should a lease include optional renewal provisions?
- At the expiration of the lease, does the landlord keep the tenant's improvements and fixtures?



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