

Table of Contents

	PAGE
<i>Preface</i>	vii
<i>Foreword</i>	xi
<i>Table of Cases</i>	xv
Introduction <i>by</i> Stephen Posen	1
Failure to Pay Rent – Remedies for Rent Arrears <i>by</i> Christina C. Kobi	13
A Bailiff’s Perspective on Distress and Termination: What Actually Happens <i>by</i> Earl Boeko	85
Remedies for Breach of Covenant <i>updated by</i> Lisa Borsook	101
Use of the Premises <i>by</i> Harvey M. Haber	123
Mandatory Operating Clauses <i>by</i> Natalie Vukovich	185
Remedies on Tenant’s Abandonment of Premises <i>by</i> Kenneth A. Beallor	211
Insolvency and Bankruptcy of the Tenant <i>by</i> Steven L. Graff and Jeremy Nemers	245
Guarantee and Indemnity Agreements <i>by</i> Lydia Pilch and Dianne Prupas	285
Drafting Indemnity and Limitation of Liability Clauses <i>by</i> J.E. Dennis Daoust	295
It’s Time to End this Dance – Dealing with Defaulting Tenants who have Extension or Renewal Rights <i>by</i> Julie Robbins and Sheldon Disenhouse	335
Landlord’s Rights and Remedies in a Commercial Lease: The Landlord’s Covenant for Quiet Enjoyment <i>by</i> Robert D. Malen	357
The Duty of Good Faith and the Commercial Lease <i>by</i> Rosalyn Wallace	383
The Real Property Limitations Period <i>by</i> Monica Peters	393
Arbitration and Mediation <i>by</i> Ernie Gutstein	409
Environmental Considerations for Landlords <i>by</i> Janet L. Bobechko	439
Insurance and Related Lease Provisions <i>by</i> Dawn Michaeloff ...	465

Force Majeure – A Commercial Leasing Perspective for Landlords and Tenants <i>by</i> Randall Rothbart and Adam Fisch	487
Landlord’s Rights and Remedies in Quebec: An Overview <i>by</i> Yan Besner	527
An Update and Survey of Recent Case Law <i>by</i> Jeanne Banka, Melissa M. McBain and Jenna Morley . . .	547
Practical Hints for a Commercial Landlord <i>by</i> Harvey M. Haber and Kenneth Beallor	589
APPENDICES	
Appendix A - Notice of Rent Default	595
Appendix B - Notice of Rent Default	597
Appendix C - Section 19(2) Notice to Tenant of Breach of Covenant	599
Appendix D - Notice of Distress	603
Appendix E - Notice of Termination	605
Appendix F - Notice of Termination	607
Appendix G - Security Agreement Provisions Forming Part of Lease	609
Appendix H - Indemnity Agreement	613
Appendix I - Option to Renew	621
Appendix J - Federal Goods and Services Tax and Provincial Harmonized Sales Tax	625
Appendix K - Extension of Term	627
<i>Index</i>	631