

Dilapidations
(Leasehold reinstatement, repair and redecoration & statutory compliance)

Fairweathers provides expert dilapidations advice to respective landlords and tenants to ensure an appropriate outcome for the landlord or tenant by whom we are appointed.

Our range of dilapidations services includes providing dilapidations assessments (so tenants can understand their potential end of lease liabilities and costs), break clause advice and providing tenant dilapidation mitigation strategies to defend and reduce landlord's dilapidations claims. We also undertake preparation of dilapidation claims for landlords with subsequent negotiation to an appropriate settlement of the claim.

We are often involved in providing advice to tenants who are about to enter a new lease on ways to limit dilapidations exposure. This is often achieved by preparing a Schedule of Condition (see *Schedule of Condition case studies*) for appropriate legal incorporation within the lease repairing covenant. .

The current economic market has led to an increase in dilapidations activity. Landlords are trying to preserve the value of their property assets as far as possible by seeking their properties to be maintained in good repair and condition throughout the tenancy, thereby also facilitating easier marketing for a new tenancy as the current tenancy ends. Conversely, tenants are seeking to mitigate their dilapidations liabilities and costs as far as possible and are increasingly seeking professional advice on how best to achieve this.

Our track record and experience proves that we are able to substantially mitigate the cost of dilapidations claims by various dilapidations strategies. For example, one such strategy is to instigate the dilapidations works that we consider to be appropriate (which may not necessarily agree with the landlord's claim) for completion prior to lease expiry. With our experience in dilapidations, the correct breaches in covenant and appropriate remedies can be formulated. The works can then be specified, tendered and contract-administered by ourselves through to successful completion on site prior to lease expiry. .This strategy is often appropriate for excessive landlord's claims; the end result is a tenant's exit cost substantially lower than the original claim.



Photo – Works in progress to mitigate excessive landlord's claim