

**INFORMATION SHEET**

Assignment of a Malton Estate Lease

**This is a general guidance note only. You must take independent legal advice specific to your own circumstances**

**Introduction:**

A Landlord will always want to be satisfied that there are no existing breaches of the Lease and the proposed new tenant is suitable to replace the outgoing tenant.

**What information will we require?**

To be reassured that the new tenant:-

1. Has the ability and experience to run the business successfully
2. Has sufficient capital (after having paid for the business) to finance the business

The more information that you can provide to prove the quality of the proposed new tenant, the quicker the landlord will be able to make a decision.

**What information?**

- C.V. of proposed tenant with previous business experience
- References from a previous employer and landlord
- Accounts for the previous three years
- Proof of capital – A summary evidenced by bank statements
- Proportion of this capital to be used in buying the business
- Any proposals for altering the style of the business
- Outline Business Plan and cash-flow

**Why does the Landlord require this information?**

The value of the landlord's investment is affected by the status of the tenant. The Landlord will have taken the status of the existing tenant into account at the start of the Lease. It is therefore a reasonable requirement to know that the proposed tenant is of an equivalent or better status.

With a substantial ownership of property in Malton, the Estate will also take into account the requirements of good estate management when assessing the type of outlet proposed.

**What should you do?**

If you are proposing to take on the Lease of a shop in Malton:-

- ◆ Take advice from a solicitor on the terms of the Lease
- ◆ Take financial advice on the preparation of your business plan
- ◆ Assemble the required information and send it to your solicitor.

If you are the outgoing tenant;

- ◆ Send a copy of these guidance notes to your proposed assignee and to your own solicitor
- ◆ Ask your proposed assignee to send the appropriate information to your solicitor as soon as possible
- ◆ Your Solicitor will then send this information to the Estate's solicitors
- ◆ Make sure that there are no breaches of the terms of your lease. For example are there any rent arrears? Are there any outstanding repairs?