

# Peter Reekie Associates Limited

## Property Law Training Courses

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Please always enquire about specific courses that are not shown here, as adaptations can always be made and new courses created.

## **COURSES FOR COMMERCIAL PRACTITIONERS**

### **1. Overage**

*Half day course – intermediate/advanced level*

There are now a significant number of transactions where overage is negotiated to enable the seller to obtain a further return in the event of the property increasing in price following sale. This course looks at some of the problems areas encountered in drafting and structuring these agreements, and gives some tips on the pitfalls and traps to avoid.

- Commercial and legal background
- Drafting considerations
- Anti-avoidance provisions
- Best practice on securing overage

### **2. Rights of way, light and drainage – current issues**

*Half day course – intermediate/advanced level*

Development transactions and acquisitions, sales or leases of part of land usually require the grant or reservation of present or future easements. The law and practice in this area is almost entirely common law based and full of traps for the unwary. This course considers key problem areas as well as well as providing an update on recent developments. It offer both practical and commercially orientated solutions.

- Background – legal and commercial issues
- Creation of rights
- Specific easements analysed
- Remedies and registration issues

### **3. Commercial property (and commercial landlord and tenant) update**

*Half day course – Update level*

This course provides an update on recent developments in the law of relevance to commercial property practitioners. It concentrates on case law and statutory changes in relation to key practical matters that are important to law and practice. It will include a review of commercial landlord and tenant developments. Topics covered will be dependant on importance of subject matter and the date of delivery of the course.

- Case law update
- Statutory changes

- Changes in practice

#### **4. Freehold covenants in practice**

*Half day course – intermediate/advanced level*

With 80% of all registered titles subject to covenants, when buying and selling freehold land an understanding of the law and practice relating to restrictive and positive covenants is crucial to every property practitioner. Regrettably the law is convoluted and often obscure. This course provides a realistic and practical review of issues in relation to law, drafting and interpretation.

- Commercial and legal background
- Negative and positive covenants
- Drafting issues
- Remedies – and insurance issues

#### **5. Mortgages – perennial problems and current issues**

*Half day course – intermediate/advanced level*

Mortgages, charges and debentures are commonly encountered by property practitioners as methods of securing loans against land. It is clearly important to ensure that adequate protection and priority are secured, and that the many hidden pitfalls are avoided. This course considers practical and commercial solutions in the context of this legally complex area of practice.

- Background – commercial and legal
- Consideration of standard terms and conditions
- Problem areas for transactional lawyers
- Corporate Security

(Reference is made throughout the course to a standard form mortgage and a standard form debenture that are included in the materials, and which have been kindly provided by one of the main commercial lenders)

#### **6. Mixed use properties: acquisition and development**

*Half day course – intermediate/advanced level*

With recent case law extending the situations where tenants' pre-emption rights apply, the commercial and legal complexity of this area of law continues to increase. Whether when acting in relation to an investment acquisition of a reversionary interest in a block of flats (or a mixed use development) or in the creation of a letting scheme for this type of property, commercial property practitioners ignore the provisions of the Landlord and Tenant Act 1987 at their peril.

- Commercial and legal background

- Key areas of complexity – and advising clients
- Circumventing the Act?
- Procedure

## **7. Sale and Purchase Contracts: Damage Limitation**

*Half day course – intermediate/advanced level*

Thankfully, things rarely go wrong in a purchase or sale transaction, but when they do it is important to be able to act with a clear understanding of the relevant law and practice. Hopefully, a carefully drafted clause will provide the solution. This course considers key areas in which problems may occur and provides a clear analysis of the legal issues involved, coupled with guidance on practical solutions.

- Contractual deposits
- Issues arising between exchange and completion
- Problems at Completion
- Failure to Complete

## **8. Complex Property Transactions**

Note this course may be of interest to commercial practitioners who do not normally deal with development work. See details of this course in the section for courses aimed at residential practitioners [below](#)

### **COURSES FOR COMMERCIAL LEASE PRACTITIONERS**

#### **1. Commercial leases: drafting and negotiation- current issues**

*Half day course – intermediate/advanced level*

Drafting or negotiating a commercial lease requires practitioners to have a breadth of knowledge and skills – and to keep up-to-date with developments in practice. This course is designed to consider a number of the more complex areas related to this type of work, as well as looking at a number of new developments in practice. It includes:

- Turnover Rents – current approach
- Guarantees and rent deposits
- Concessions by side letter or collateral agreements
- Works to the property and agreements for lease
- Carbon trading – lease drafting issues

#### **2. Renewing and terminating commercial leases**

*Half-day course - intermediate/advanced level*

Commercial Leases are becoming ever shorter and practitioners are having to cope with the statutory regime governing lease renewal with increasing frequency. The 1954 Act is notoriously complex, having been interpreted, and re-interpreted by the courts - and it has many traps for the unwary. This course considers the law and practice relating to lease renewal and termination under the 1954 Act and focuses on recent developments and the more troublesome areas. The course is aimed primarily at transactional lawyers and does not deal with litigation procedures.

- Tenancies within the Act
- Excluding the Act
- Termination procedures
- Opposing renewal
- The terms of the new lease

## **COURSES FOR RESIDENTIAL PROPERTY PRACTITIONERS**

### **1. Co-owned property for Conveyancers**

*Half day course – advanced level/ intermediate level*

Co-ownership is on the increase with partners, friends, parents and children buying together. This course considers the issues faced by residential conveyancers when acting in the purchase or sale of property for unmarried couples.

- Extent of the duty of care
- Drafting the declaration of trust
- Business partnership property issues
- Buyers beware: the undisclosed trust
- Sellers Beware: the acquisition of an interest
- Disputes – basic principles

### **2. Complex property transactions**

*Half day course – intermediate level*

This course considers some of the problematic aspects of more complex transactions – principally those relating to small-scale developments or sales of part of land with development potential. It also considers some of the key drafting issues arising from the documentation that will be encountered. It will also be of interest to commercial practitioners who do not normally do development work. Please note that the course is not aimed at the specialist in substantial development work.

- Overage

- Conditional contracts – with particular reference to planning conditions
- Options
- Rights of pre-emption

### **3. Rights of way, light and drainage – current issues**

*Half day course – intermediate/advanced level*

Development transactions and acquisitions, sales or leases of part of land usually require the grant or reservation of present or future easements. The law and practice in this area is almost entirely common law based and full of traps for the unwary. This course considers key problem areas as well as well as providing an update on recent developments. It offer both practical and commercially orientated solutions.

- Background – legal and commercial issues
- Creation of rights
- Specific easements analysed
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### **4. Freehold covenants in practice**

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With 80% of all registered titles subject to covenants, when buying and selling freehold land an understanding of the law and practice relating to restrictive and positive covenants is crucial to every property practitioner. Regrettably the law is convoluted and often obscure. This course provides a realistic and practical review of issues in relation to law, drafting and interpretation.

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## **COURSES FOR DELEGATES COMPRISING BOTH COMMERCIAL AND RESIDENTIAL PRACTITIONERS**

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