

**REAL ESTATE LEASING COMMITTEE**

**Minutes – Thursday, December 8, 2017**

**Ritz Carlton, Naples, FL**

**3:30pm-5:00pm**

1. WELCOME AND INTRODUCTIONS

Chair Rick Eckhard convened the meeting at 3:38pm.

2. APPROVAL OF MINUTES: Lloyd Granet moved to approve the minutes, and there was a second by Co-Vice Chair Ezell. There was unanimous approval
3. CHAIR’S REPORT: Chair Eckhard immediately turned the floor to Co-Vice Chair Ezell to discuss the progress on certain CLE topics.
4. DISCUSSION OF CLE TOPICS AND SUBCOMMITTEES: Co-Vice Chair Ezell discussed the progress of Ashley McCrae and Katherine Oberto on a webinar relating to landlord –tenant discussion on leasing. The CLE is tentatively being planned for February.

Next, the Committee discussed the possible CLE on medical marijuana by David Weissman. The CLE is looking to be scheduled, and other committees will be approached. Lloyd Granet added the risk of potential forfeitures of land by the Federal government, and that certain related business may be prosecuted and its effect on landlords in considering leasing to a dispensary or business of medical marijuana. He discussed how separate LLCs are being set-up to handle the functions of the lease.

Next, Manny Farach discussed the possible CLE on cell phone towers and suggested that Tom Hunt spoke 4 years ago on cell phone towers. He noted how the industry is changing, as well as the leasing environment is changing. Smaller towers are being installed. Lloyd Granet that the cell towers are being utilized through easements, and how the land should be turned into tax parcels.

It will be also investigated if the case law updates can receive CLEs.

5. DISCUSSION OF LEGISLATIVE INITIATIVES—Legislative Liaison, Arlene Udick discussed Unlawful Detainer is to return in 2019, the discussion of use rights in beach rights, in addition to prescriptive easements, and a customary use bill is being considered. unlawful detainer
6. DISCUSSION-- Tyler Hudson of Holland & Knight spoke on leasing issues and due diligence. There was a good discussion among committee members.

Gael discussed a case on illegality of self-help by landlords.

Co-Vice Chair Ezell discussed cases based on contract interpretation.

7. ADJOURN -- Chair Rick Eckhard convened the meeting at 4:52pm.