Affirm Lease with Tenant

You can use this Model Notice, drafted with help from Peter D. Morris, commercial real estate expert and founder of Greenstead Group LLC, to affirm your lease with a tenant in danger of a default and eviction after granting it a one-time rent relief measure.

Note that the tenant's affirmation of the lease terms will negate any later arguments that the lease was modified by a pattern of late or partial payments or nonpayments. Show this notice to your attorney before adapting it for your own situation.

LEASE AFFIRMATION

[*Insert date*]

[*Insert owner's name & address*]

Re: [*Insert identification of space and center's/building's name*]

Dear [*insert tenant's name*]:

This letter shall constitute a lease affirmation notice for the lease dated [*insert lease date*] for the above-mentioned premises, by and between [*insert owner's name*], as Owner, and [*insert tenant's name*], as Tenant. Unless otherwise defined herein, all capitalized terms shall have the same meaning ascribed to them in the lease.

1. **RENT RELIEF.** Due to [*insert reason for late or partial payment or nonpayment of rent, e.g., market conditions, decrease in sales*], Owner has agreed, as a one-time consideration, to accept [*insert late payment, partial payment, or nonpayment*] of Rent.

2. **RENT.** The foregoing rent relief notwithstanding, Rent will continue to be due on [*insert day of month specified in lease*]. Failure to immediately resume making timely payments of monthly Rent shall constitute a default under the terms and conditions of the Lease.

3. **DEFAULT.** Should a default under the terms and conditions of the Lease continue, Owner reserves the right to take legal action, including, but not limited to, Lease termination and Eviction.

4. **AFFIRMATION OF EXISTING LEASE.** Owner and Tenant expressly affirm in each and every respect the remaining provisions of the Lease not affected by this Notice, which provisions remain in full force and effect.

TENANT'S SIGNATURE _____ DATE _____

AGREED TO AND ACCEPTED BY:

OWNER'S SIGNATURE_____ DATE _____