

## MODEL LEASE CLAUSE

### Get Right to Determine Tenant's Payment for Supplemental HVAC Utilities

The following clause was drafted by Sacramento attorney Thomas F. Stewart. Use it when a tenant wants to install a supplemental HVAC system in its space.

Paragraph a requires the tenant to pay all utility costs attributable to the supplemental HVAC system. Paragraph b lets you determine the amount of the utility costs attributable to that system.

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KEY # **CLLI0003**

#### SUPPLEMENTAL HVAC UTILITY COSTS

- a. Payment of Supplemental HVAC Utility Costs.** Tenant shall pay all utility costs (including, without limitation, electricity or natural gas) attributable to any HVAC or other cooling system located in the Premises that is dedicated to Tenant's computers or other equipment ("Dedicated HVAC Unit").
- b. Determination of Supplemental HVAC Utility Costs.** Landlord may determine, in its sole discretion, the amount of the utility costs attributable to the Dedicated HVAC Unit (including the installation by Landlord, at Tenant's expense, of a separate meter or other measuring device) by any reasonable means.