

## MODEL LEASE CLAUSE

### Encourage Energy Conservation by Tenant

Los Angeles attorney Pamela L. Westhoff drafted the following clause. Add it to your leases or your building's or center's rules and regulations (which should be attached to the leases as an exhibit) to give your tenant an incentive to conserve energy and comply with your energy conservation programs.

Paragraph a requires the tenant not

to waste energy and prevents the tenant from obstructing the operation of your building's or center's heat, ventilation, and HVAC systems. Paragraph b says that the tenant agrees to comply with your building's or center's or a local utility company's mandatory programs.

Show this clause to your attorney before putting it in your lease.

#### ENERGY CONSERVATION

- a. **Efficient Operation of Systems.** Tenant agrees to cooperate fully with Landlord to ensure the most effective and energy-efficient operation of the [Building/Center]. Accordingly, Tenant agrees as follows:
- (i) Tenant shall not waste electricity, water, heat, air conditioning, and other utilities and services at the [Building/Center]; and
  - (ii) Tenant shall not obstruct, alter, or in any way impair the efficient operation of the [Building/Center]'s heat, air conditioning, and ventilation systems. To this end, Tenant shall:
    - (A) Not place furniture, equipment, or other objects where they would interfere with air flow;
    - (B) Not tamper with or change the setting of any thermostats or temperature control valves;
    - (C) Keep corridor doors closed and not open any windows (except that if the air circulation shall not be in operation, windows may be opened with Landlord's consent); and
    - (D) During hot weather months, lower and partially close window blinds or drapes when the sun's rays fall directly on windows of the Premises.
- b. **Compliance with Mandatory Programs.** From time to time, Landlord may institute for the [Building/Center] certain programs that Landlord believes, in its sole judgment, will be in the best interests of the [Building/Center] and its tenants. Similar programs may be established by a local utility company. Such programs shall include, but not be limited to, energy conservation programs. Tenant shall promptly comply with and carry out, in good faith, any and all obligations issued by Landlord or the local utility company, as the case may be, under such programs, as the same may exist from time to time, so long as such obligations are applied in a nondiscriminatory manner.