**HOW TO USE THIS DOCUMENT**

This should be considered general advice and you should obtain further advice for your specific needs from your property or legal counsel.

The template includes a series of easy fill-in-the-blank fields [shown in orange text] allowing you to customise the letter to your circumstances.

The template covers how the Mandatory Code of Conduct applies, a calculation of rental relief requested and opens the discussion to explore mechanisms for delivery of rental relief.

If you require further assistance with your lease, how the code applies to you or to further progress your negotiations, get in touch with BRM on (03) 9521 1007 or email contact@BRMprojects.com.au for a free

consultation.

[Date]

[Name of Landlord/Agent]

[Address]

[Address]

[Suburb] [STATE] [Postcode]

By email: [Landlord’s Email address]

Dear [Name],

**[Name of Tenant on Lease] Pty Ltd (Tenant) Lease from [Name of Landlord]**

**Premises: [Address of Premises]**

We refer to the lease between us for the above Premises.

As you are aware, the National Cabinet Mandatory Code of Conduct – SME Commercial Leasing Principles During COVID-19 (Code) was issued on 8 April 2020.

The Code provides that landlords and tenants should negotiate in good faith to come to suitable arrangements for relief during this difficult time, and also sets out the minimum requirements for such relief arrangements. In light of the Code, we write to you to advise of the impact COVID-19 has had on our business and put forward our proposal for relief.

The Code will apply to our business as we are experiencing financial stress and hardship as a result of COVID-19, we have an annual turnover of less than $50 million and we [are eligible/have applied/have successfully applied] for the JobKeeper payments. We have enclosed [reports/financial statements/business statements etc.] which evidence a drop in revenue of [insert % ] when comparing the business’ revenue against the same month for the previous year (this information is provided to you on a strictly confidential basis). This decline will obviously impact on our capacity to fulfil our obligations under the Lease.

Accordingly, and pursuant to the Code, we seek [insert % ] in cash flow relief, in the form of a waiver and deferral of rent and open to discussing the mechanisms further to ensure a suitable agreement can be reached.

We propose that the above relief be applied on and from [30 March 2020] and continue for the duration of the COVID-19 pandemic and a reasonable recovery period. We will maintain constant communication during this period and will notify you with in [14 days] should our impacted position change.

If the Landlord has received any additional benefits in the form of reductions in government and statutory charges, insurance or tax relief, in accordance with the Code we request that you also provide us with evidence of these benefits and ensure they are passed down to us when calculating any outgoings required to be paid under the Lease.

We look forward to receiving the Landlord’s confirmation of acceptance of the above proposal within [7 days] so we can finalise the arrangement promptly and have the variations to the Lease documented appropriately with [14 days].

We appreciate the Landlord’s understanding, cooperation and assistance in this difficult time.

Kind Regards,

[insert signature]