

District of Columbia Retail Tenants

Application for COVID-19 Related Rent Relief

The District of Columbia Council passed the “Coronavirus Support Emergency Amendment Act” on May 19, 2020. Section 402 of the Act obligates landlords in the District of Columbia to work with eligible retail tenants regarding potential rent relief if such tenants demonstrate financial hardship resulting from the COVID-19-related public health emergency declared in the District of Columbia.

If you are not already engaged in dialogue with a member of our team regarding potential rent relief, please assemble the information described below and provide the same to us via e-mail at DCLernerRent@Lerner.com.

We will review the information provided and a representative of the Landlord will be in touch with you shortly to address any questions raised by materials provided. Once we have a full picture of your financial situation and the effects of the public health emergency on your business, we will reach out to you with a proposed rent relief plan tailored to the COVID-19 related financial hardship (if any) demonstrated by the information provided to us. We will, of course, maintain the confidentiality of all information provided to us in connection with your rent relief request.

We look forward to working with you.

Information to be provided:

1. A detailed description of how the public health emergency in DC has affected your business and your ability to satisfy your rental obligations under the Lease;
2. Monthly sales statements with respect to the Premises for the period 1/1/19 – 5/31/20 certified by an independent certified public accountant or an officer of the Tenant;
3. Monthly expense statements with respect to the Premises for the six (6) month period 12/1/19 – 5/31/20 certified by an independent certified public accountant or an officer of the Tenant;
4. A current Balance Sheet certified by an independent certified public accountant or an officer of the Tenant;
5. A current financial statement for all Guarantors of Tenant’s obligations under the Lease;
6. Monthly Tenant bank account statements for the period 12/1/19 through 5/31/20;
7. A detailed description of any claims made by the Tenant for business interruption insurance proceeds related to the public health emergency and the current status of such claims;
8. A detailed description (including copies of applications) for Paycheck Protection Program loans (pursuant to the CARES Act) or other governmental relief funding and the current status of all such applications/efforts; and
9. A detailed description of the timeline and plans for Tenant’s re-opening of its business in the Premises if such business is not currently open and operating.