

Name of church+tenant: _____

Checklist for Leases or Licenses

Diocesan bylaws state:

“Section 9.6 Leases and Licenses. Leases and Licenses. Real property may be leased to others and others may be authorized to use facilities (authorized uses of facilities are called “licenses” in this Section 9.6). Leases and licenses shall be reviewed by a chancellor and executed and delivered by officers of the Corporation upon authority as established in written policies adopted by the Commission on Finance and Administration.”

Please start the process as soon as possible because,

- 1) Although the approving bodies are scheduled to meet once a month, sometimes a meeting will be cancelled or they may not have quorum.
- 2) Changes often need to be made after a chancellor reviews the agreement.

If you have any questions, please call Rae Costa at (808) 536-7776, ext. 326 or e-mail at rcosta@episcopalhawaii.org

Before submitting to the Diocesan Support Center

- Conduct initial research:** Visit Diocesan Website → Resources → Forms and Documents → Leases (<http://www.episcopalhawaii.org/forms--documents.html>) and read
 - Diocesan Requirements for Leases and Licenses,
 - Use of Church Property by Outside Groups brochure,
 - One of the following templates (whichever is applicable to your situation):
 - A template for an Application for Use of Church Facilities (one-time use),
 - a License Agreement Template (non-exclusive, regular, and ongoing use),
 - a template for Lease of Building Space (exclusive, regular, continuous use)
 - a template for Rental Agreement (for a residential property),
- Obtain Certificate of Good Standing for the Lessee:** go to <https://hbe.hawaii.gov/documents/search.html> and search for the company's name. A printout of the webpage showing the cost to purchase a copy of the Certificate will suffice. You do not have to actually pay for the Certificate. If a Certificate is not available, the website will say that.
- Complete the appropriate template:**
 - Note: Use the legal name for your Church/organization and
 - The legal name for Lessor is “The Episcopal Church in Hawai‘i”
 - Changes to sections of the template that are not blanks to be filled in will cause delays in review and incur increased attorney fees.
- For regular, continuous leases or licenses, obtain proof of comprehensive general liability insurance (i.e. Certificate of Insurance):**
 - Covering the premises
 - Naming both “The Episcopal Church in Hawai‘i” (as Lessor) and your Church/organization as additional insureds

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- By an insurance company authorized to do business in Hawaii
- With minimum limits of not less than \$1,000,000.00 for injury to one or more persons in any one accident or occurrence and \$1,000,000.00 for property damage
- With condition that insurance may not be cancelled except by insurer giving at least thirty (30) days' prior written notice to Lessor and Church

Present all of the above to the Vestry or Bishop's Committee and get their approval.

A copy of the full minutes must be submitted to the Office of the Bishop.

Submit the following documents to the Diocesan Support Center for approvals. We suggest that you send these documents **at least 10 days before a scheduled Commission on Finance and Administration meeting** to give us time to get it put on the meeting agenda. The Commission on Finance and Administration usually meets on the Tuesday before the third Saturday of the month (Diocesan Council and Standing Committee meetings are usually on the third Saturday of the month). Call Rae Costa at (808) 536-7776 x326 to verify these dates.

- Full copy of Vestry/Bishop's Committee minutes showing approval of the Lease. If the Minutes are not available, send a note saying it was approved and that Minutes will be provided as soon as they are available.
- Copy of valid and current Certificate of Insurance listing "The Episcopal Church in Hawai'i" and your church/organization as additional insureds (if applicable).
- Printout of the webpage showing Lessee has a Certificate of Good Standing
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- Copy of this signed and completed checklist.

Print name	Signature	Date
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Approval process if the lease or license is for a term **not exceeding one (1) year**

Review and approval by a chancellor or attorney appointed by chancellor.

Approval process if the term of the lease or license **exceeds one (1) year but does not exceed seven (7) years**

Review and approval by a chancellor.

Approval of the Commission on Finance and Administration

Approval process if the term of the lease or license **exceeds seven (7) years**

Review and approval by a chancellor.

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- Approval of Commission on Finance and Administration and then
- Approval of Diocesan Council and
- Approval of Standing Committee

NOTE: The length of the lease or license is the total number of years including any rights/options to extend. For example, if you have a one-year license (or lease) with option to extend for two years, the total number of years is three.