

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 authorized individuals of the Corporation upon authority as established in written policies adopted by the Commission on Property.”*

Please start the process as soon as possible because changes often need to be made after an attorney 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](mailto:rcosta@episcopalhawaii.org)

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### Before submitting to the Diocesan Support Center

- Conduct initial research:** Visit Diocesan Website → Resources → Forms and Documents → Property → [Leases and Licenses](#) and read
- Obtain proof of a Certificate of Good Standing for the Lessee/Licensee:** go to <https://hbe.ehawaii.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/Licensor 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” (legal name) and your Church/organization’s legal name as additional insureds
  - By an insurance company authorized to do business in Hawaii
  - **Insurance Limits:** All policies shall name Licensor/Lessor, Church, and Leasor’s/Licensor’s and/or Church’s mortgagee(s) (if any) as additional insureds under such policies.
    - Commercial General Liability: ONE MILLION DOLLARS (\$1,000,000.00) per occurrence, TWO MILLION DOLLARS (\$2,000,000.00) in aggregate.
    - Workers’ Compensation and Employers’ Liability: Not less than the statutory limits for Workers’ Compensation coverage as required by Hawaii law.

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- Automobile Liability: a combined single limited of \$1,000,000 for bodily injury and
  - Umbrella Liability Insurance: TWO MILLION DOLLARS (\$2,000,000.00) per occurrence, TWO MILLION DOLLARS (\$2,000,000.00) general aggregate.
  - With condition that insurance may not be cancelled except by insurer giving at least thirty (30) days' prior written notice to Lessor/Licensor and Church
  - All other conditions per templates
- 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 Diocesan Support Center (as soon as available).
- Submit the following documents to the Diocesan Support Center for approvals.**
- Full copy of Vestry/Bishop's Committee minutes showing approval of the Lease/License. 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 (legal name) as additional insureds (if applicable). Certificates not using the legal name will have to be redone and will cause delays.
  - Printout of the webpage showing Lessee/Licensee has a Certificate of Good Standing (if applicable).
  - Copy of this signed and completed checklist.

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**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.

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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 Property

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

- Review and approval by a chancellor.
- Approval of Commission on Property 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.