

Amendment 1
to
CB 119829 – Personal Liability in Commercial Leases
Sponsor: CM Lewis

Splits up under what circumstances a business or non-profit is eligible for relief

Amend the following as shown:

Section 2. A provision in a commercial lease or other commercial rental agreement that makes the tenant or one or more persons who are not the tenant wholly or partially personally liable for payment of rent, utility expenses, taxes, fees, or charges relating to routine building maintenance for the leased premises is not enforceable if the tenant is a small business or non-profit and:

A. The civil emergency proclaimed by the Mayor on March 3, 2020 has not been terminated and the tenant's business or non-profit was subject to in-person limitations pursuant to Gubernatorial Proclamations 20-07, 20-13, 20-14, 20-24, 20-25, 20-25.1, 20-25.2, 20-25.3, 20-25.4, 20-25.5, 20-25.6 or any subsequent extensions; or

B. ~~The tenant is a small business or non-profit; and~~

~~C.~~ The tenant's business or non-profit ~~was required to~~ closed or ceased operations ~~or was subject to in-person limitations under~~ pursuant to Gubernatorial Proclamations 20-07, ~~20-11,~~ 20-13, 20-14, 20-24, 20-25, 20-25.1, ~~20-25.2, 20-25.3, 20-25.4,~~ 20-25.5, 20-25.6 or any subsequent extensions.

Effect: This amendment would provide relief during the period of the emergency for any business or non-profits subject to in person limitations under the Governor's proclamation. It would provide relief permanently, rather than just during the period of the emergency, for businesses or non-profits that closed because of the Governor's proclamations.