

TENANT LEASE OR SALES AGREEMENT

Overview

In a LEED for Core & Shell building, tenants can choose whether to pursue LEED for Commercial Interiors without affecting the building's LEED for Core & Shell certification. However, if a developer makes technical requirements from the LEED for Core & Shell Rating System part of a binding lease or sales agreement, the project may be able to earn additional points for credits with technical requirements not addressed in the Core & Shell project design and construction scope. By encouraging green building practices in the tenant's scope of work, Core & Shell projects with a limited scope can achieve credits for activities that would otherwise be beyond their design and construction control.

Compliance through a binding tenant lease or sales agreement can be pursued as an alternative to or in conjunction with the standard approach to LEED for Core & Shell credit documentation. Clearly identify which components of the credit will be implemented as part of the developer's scope of work, and which portions will be part of the tenants' scope of work and enforced through binding tenant lease or sales agreements.

Requirements

The technical credit requirements must be incorporated into a legally binding document signed by both the developer and the tenant. The document must explicitly state performance requirements for the tenant work, such as lighting power density (watts per square foot), plumbing fixture flow rates, or bike racks and showers. Refer to the requirements and LEED Online submittal documentation for the chosen credits.

Guidelines, such as the tenant design and construction guidelines required for SS Credit 9, and other nonbinding documents do not meet the requirements for this compliance method. Although all projects are encouraged to develop design and construction guidelines that help tenants adopt green practices, only legally binding documents satisfy the requirements of the Tenant Lease or Sales Agreement compliance method.

Documentation Guidance

Submit sample agreements when applying for precertification as well as certification.

For specific documentation requirements, refer to the selected credits in LEED Online.

Applicable Credits

CASE A

Submittal documentation for Case A credits must include data from the entire project building, including tenant-occupied spaces. When documenting compliance with Case A credits, project teams should treat anticipated tenant work as neutral. Or, if claiming performance improvements based on anticipated tenant work, such data must be supported by tenant sales and/or lease agreements.

- WE Prerequisite 1
- WE Credit 3
- EA Prerequisite 2
- EA Credit 1 (performance path only)

CS APPENDIX 4

CASE B

Submittal documentation for Case B credits need only include data from the Core & Shell project scope. If the project team wishes to claim performance improvements based on anticipated tenant work, such data must be supported by tenant sales and/or lease agreements.

- WE Credit 2
- EA Credit 2

CASE C

Submittal documentation for Case C credits must include data from the entire project building. In some cases, the Core & Shell project will be limited such that compliance cannot be documented without including data from anticipated tenant work. In this instance, such data must be supported by tenant sales and/or lease agreements.

- SS Credit 4.2
- EA Prerequisite 3
- EA Credit 4
- IEQ Prerequisite 1
- IEQ Credit 1
- IEQ Prerequisite 2
- IEQ Credit 2
- IEQ Credit 5
- IEQ Credit 6

Exemplary Performance

Developers can achieve an Innovation in Design point for exemplary performance by requiring their tenants to achieve exemplary performance in certain credits. To earn points this way with a lease or sales agreement, first achieve the credit requirements for the Core & Shell submittal. Additionally, provide documentation and meet the requirements of the Tenant Lease or Sales Agreement compliance path outlined above.

Exemplary performance under Tenant Lease or Sales Agreement is available for the following credits:

- SS Credit 8: Light Pollution Reduction. Require automatic controls within 100% of the tenant space.
- EA Credit 2: On-site Renewable Energy. Require the tenant to achieve 5% on-site renewable energy.
- IEQ Credit 3: Construction IAQ Management Plan. Require the tenant to adhere to a construction IAQ management plan.
- IEQ Credit 4: Low-Emitting Materials. Require the tenant to comply with the requirements in IEQ Credit 4 (4.1, 4.2, 4.3, and 4.4) throughout the tenant space.