# THE CHARITIES REGULATORY AUTHORITY

# GUIDELINES FOR MAKING AN APPLICATION FOR CONSENT TO LEASE OF CHARITY PROPERTY

Application for Consent to Lease Forms are to be completed in duplicate by not less than two thirds of the Trustees. Brief particulars of the application should be set out on the form entitled Memo for the Authority.

The completed Forms and the Memo should be accompanied by:-

1. Copy of the Deed vesting the property in the charity applicants for the Authority’s consent.
2. A copy of the Deed or other Instrument setting out the Charitable Trusts affecting the property (in the absence of a declared Charitable Trust please specify the charitable purposes for which the property is used on the form entitled “Memo for the Authority” at item 9).
3. An independent Auctioneer’s Valuation certifying that the proposed Fine and Annual Rent represent the full current letting market value of the property. N.B. The valuation must be dated within **six months of the date of application.**
4. The Trustees’ proposals for the application of the Fine and Rent.
5. A copy of the proposed Lease.

It should be noted that in the case of a Lease for full value the Authority requires that the Lease contain a clause providing for regular rent reviews as well as a clause providing that the Lessee will insure the property at all times. It would be preferable that the policy of insurance of the premises be held in the name of the Charity and that the cost of the premia are recouped from the Lessee

In the case of a Lease between Charities the Authority will require that the Lease contain a clause providing that the property will be used only for charitable purposes and in the event that it ceases to be so used the property is to revert to the Lessor.

1. A map of the property in lease together with details of the area.
2. The Registered Charity Number should be provided on both the Memo for the Authority and the Consent to Lease forms.

Photocopies of documents submitted with applications will not be returned when the application has been processed unless a specific request to return them is received.

Please note that only typed applications will be accepted.

It should be understood that the Authority will not deal with incomplete applications. Applications for consent to Surrender of Lease must be **completed**

**in duplicate** and signed by not less than two-thirds of the trustees (see attached note on trustees).