

# DIPLOMA CENTRE

## Diploma in Commercial Property



### MODULE 1: INTRODUCTION TO CONVEYANCING PRINCIPLES

SESSION 1	TIME	DELIVERY
Tuesday 21 March 2023	6:00 pm – 9:00 pm	Live Online
1	<b>The Contract for Sale General Conditions 2019 (Part 1):</b> Background; principal changes.	
2	<b>The Contract for Sale General Conditions 2019 (Part 2):</b> Requisitions on title 2019; Searches; Dead Deal Costs, Lock out Agreements; Conditions of Sale – where to from here?	
3	<b>Contracts from a Commercial Property perspective:</b> What to look for in a Commercial Property transaction.	

3 hrs. eCPD

SESSION 2	TIME	DELIVERY
Tuesday 28 March 2023	6:00 pm – 8:00 pm	Live Online
1	<b>Drafting &amp; Special Conditions:</b> Conditional Contracts and drafting special conditions.	
2	<b>The Use of Data Rooms:</b> A practical overview of the use of data rooms for securely sharing, organising and tracking materials and due diligence documents in large real estate transactions	

2 hrs. eCPD

### MODULE 2: PROPERTY FINANCING AND INVESTMENT

SESSION 3	TIME	DELIVERY
Tuesday 4 April 2023	6:00 pm – 9:00 pm	Live Online
1&2	<b>Company/ Commercial Law aspects of Commercial Property:</b> How deals are structured and vehicles of ownership; implications of Competition and Consumer Protection Act 2014; buying a company that holds the land, the role of a commercial property lawyer in a corporate M & A	
3	<b>Property Lending 1: Title issues:</b> Certificates of Title, Reports on Title & Title Insurance	
4	<b>Property Lending 2:</b> Types of loan facilities and facility letters, and loan documentation	
5	<b>Property Lending 3:</b> Securities, mortgages, guarantees and releases <i>Pre-recorded lecture</i>	

### MODULE 3: COMMERCIAL LEASES

SESSION 4	TIME	DELIVERY
Wednesday 12 April 2023	6:00 pm	Online release only
1	<b>Introduction to commercial leases:</b> Nature of the relationship; Categories of Tenancy; Negotiations and formalities; Lease v licence; Deed of Renunciation; Side Letters; Deed of Guarantor/Bank Guarantor	

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2 **Key Agreement for Lease issues:** Conditionality/pre-conditions, practical completion and considerations

3 **Rent Review - key terms:** key terms: Section 132 of the Conveyancing & Property Law Reform Act; upward/downward rent reviews; rent review triggers; hybrid rent structures, Turnover provisions

3 hrs. Gen. CPD

SESSION 5	TIME	DELIVERY
Tuesday 18 April 2023	6:00 pm – 9:00 pm	Live Online

1 **Key Lease property issues:** Floor Area, area and measurements – agreed tolerances; Provision of services; Specification; Access date & fit out; Repair & Maintenance; Insurance; Service Charges

2 **Key Lease occupation issues:** User, restrictions on use, exclusivity, trade & keep open; Assignment, Subletting; Pre-emption rights; Turnover reporting

3 **Landlord specific issues:** Service charge; restrictive covenants; easements and exclusivities; Advertising and promotion. Long stop dates, aerials and wireless, timescales

3 hrs. Gen. CPD

SESSION 5A	6pm	DELIVERY
Tuesday 25 April 2023		Online release only

1 **Commercial Rates:** an overview of commercial rates and implications for commercial property transactions

2 **Ethical and regulatory issues:** Conveyancing conflicts; acting for both sides; undertakings in commercial property transactions

3 **Determination of Leases:** Surrenders; forfeiture; yield up; dilapidations and break options

4 **Tenants in Insolvency:** Receivership; liquidation; examinership; the position of guarantors

5 **Stamp duty and VAT on commercial leases**

5 hrs. Gen. CPD;

### MODULE 4: PLANNING & DEVELOPMENT

SESSION 6	6pm -9pm	DELIVERY
Tuesday 9 May 2023		Live online

**Irish Planning Law and its effects on commercial property:** National and regional planning policy and guidelines. The Development Plan, local area plans, ministerial directions. Strategic infrastructure development, Strategic Housing Development, material change of use, intensification of use, abandonment of use and exempted development.

**The Building Control (Amendment) Regulations 2014:** Building control regulations/BCAR compliance: Recent Developments and key issues

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**Planning Update** : An overview of recent updates and developments; General Condition 36 ; strategic investments - development of data centers and the Planning Act 2017 re development of over 100 units

SESSION 7	TIME	DELIVERY
Saturday 13 May 2023	10:00am – 1:30pm	Live Online

### Workshop 1

- Commercial Leases Workshop:** Reviewing & negotiating commercial leases – Acting for a Tenant, Acting for a Landlord; working with a precedent
- Development Case Study:** Mixed Use development (office, retail and accommodation).

2 hrs. Gen. CPD; 1.5 hrs. M&PD CPD

SESSION 8	TIME	DELIVERY
Tuesday 16 May 2023	6:00 pm – 9:00 pm	Live Online

- Scheme Documentation and Booklet of Title:** acting for a builder/ developer, the steps involved in a new development , key documentation and the Booklet of Title
- The MUD Act for new builds :** The obligations on multi-unit developers, transfer of common areas; Statutory requirements in running management companies, conveyancing and insolvency implications
- Build to Rent** – BTR schemes ( student accommodation , new multifamily developments ) – their future in Ireland and potential legal issues arising

3 hrs. eCPD

SESSION 9	TIME	DELIVERY
Tuesday 23 May 2023	6:00 pm – 9:00 pm	Live Online

- Construction Law for the Commercial Property Lawyer:** necessary documentation for Conveyances
- Agreement for Lease and Development:** Agreement for Lease incorporating development issues, conditions, longstop dates, tax issues, practical completion, landlord/tenant fitting out works, penalties, opinions/ certificates and warranties.
- Licensing Issues:** An overview of licensing issues arising in respect of a Licensed Premises, hotels and restaurants.  
**ONLINE ONLY**
- Environmental Law Issues:** Change of use from an industrial building to a residential development.  
**ONLINE ONLY**

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SESSION 10	TIME	DELIVERY
Saturday 27 May 2023	10:00am – 1:30pm	Onsite

### Workshop 2

- 1 **Licensing Case Study:** Purchase of a Hotel/Pub.
- 2 **Environmental & Planning Case Study:** Buying a petrol station and converting it into apartments: Consideration on purchase/sale and purchases; green issues in commercial property documents; site surveys and contaminations.

2 hrs. Gen. CPD; 1.5 hrs. M&PD CPD

## MODULE 5: TAXATION

SESSION 11	TIME	DELIVERY
Tues 30 May 2023	6pm-9pm	Live Online

- 1 **Tax arising on the purchase and sale of freeholds:** CGT on Contracts (disposal date conditional contracts etc.); CGT clearances and non-resident vendors; VAT on freeholds & TOB relief; Stamp duty on purchases (including interlocked contracts); Acquiring the company rather than property, case study.
- 2 **NPPR and LPT Update**
- 3 **Case Studies on VAT and Commercial Property:** General Introduction to VAT, Lettings – Rules post 1 July 2008, Sales – Rules post 1 July 2008, Capital Goods Scheme, Transitional Rules.

3 hrs. eCPD

## MODULE 6: DEALING WITH DISTRESSED SALES and WRAP UP

SESSION 12	TIME	DELIVERY
Tuesday 6 June 2023	6pm-9pm	Live Online

- 1 **NAMA transactions:** Key provisions of the National Asset Management Agency Act 2009; Advising in relation to NAMA transactions, S172 transactions
- 2 **Loan Portfolio Sales:** Project management, due diligence, registration and deeds associated with Loan portfolio sales

2 hrs. eCPD

SESSION 13	TIME	DELIVERY
Saturday 10 June 2023	10.00 am – 12pm	Online

### Workshop 3

- 1 **Receivership Case study:** Distressed real estate transactions

2.5 hrs. Gen. CPD; 1.5 hrs. M&PD CPD

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**ASSESSMENT RELEASE DATE: Friday 09 June**

**ASSESSMENT SUBMISSION DATE: Wednesday 12 July**

**Please note that topics & dates may be subject to change. Draft timetable as of March 2023.**

\* Gen = General, M&PD = Management and Professional Development, Reg = Regulatory and eLearning = eLearning CPD credits.

**CPD Note:** The number of hours of CPD that you may claim in relation to your diploma/certificate course will depend on the way in which you access each of the individual sessions. For further information please visit the course homepage on our website:

[www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre)