

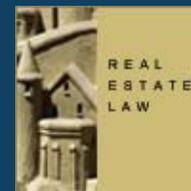
# LEASING TIMES

## Key leasing phrases and topics to think about.

### Location, Location, Location?

A recent decision of the British Columbia Court of Appeal means that a commercial tenant in the Province of British Columbia no longer has security of tenure, that is, the right to remain in possession of its premises so long as it performs its obligations under its lease. If a landlord seeks to terminate a lease for no reason, a court will decide whether or not a tenant can be adequately compensated in damages. A tenant cannot insist upon remaining in its premises for the balance of the term. Although leave to appeal to the Supreme Court of Canada was granted, the tenant (IBI Leaseholds Ltd) abandoned its appeal. Therefore, this is now law in British Columbia. This is not the current law in any other jurisdiction in Canada nor, we believe, is it the law in any other jurisdiction which follows British common law. Think about it.

For more information on our Real Estate Practice Group please click link below:



#### Subscription Information

If you have any clients who might be interested in receiving Leasing Times, please feel free to forward this e-mail or send their contact information to [leasing@millerthomson.com](mailto:leasing@millerthomson.com) and we will be happy to add them to the mailing list.

To unsubscribe please reply to this e-mail with unsubscribe in the subject line.

#### Disclaimer

Miller Thomson LLP's bulletins and Newsletter are provided as an information service to our clients and is a summary of current legal issues which may be of concern. These articles are not meant as legal opinions and readers are cautioned not to act on information provided in this newsletter without seeking specific legal advice with respect to their unique circumstances.

© Miller Thomson LLP, 2007 All Rights Reserved. All Intellectual Property Rights including copyright in this publication are owned by Miller Thomson LLP. This publication may be reproduced and distributed in its entirety provided no alterations are made to the form or content. Any other form of reproduction or distribution requires the prior written consent of Miller Thomson LLP. which may be requested from the editor at [leasingtimes@millerthomson.com](mailto:leasingtimes@millerthomson.com).

#### Privacy

*Miller Thomson LLP uses your contact information to send you information on legal topics that may be of interest to you. It does not share your personal information outside the firm, except with subcontractors who have agreed to abide by its privacy policy and other rules.*