

Approval and Execution Authority for Amendments[®]

Type of Document	The Regents as....	Approval and Execution Authority -	Comments
Amendment to an existing Lease (other than Extension of Term and/or Expansion of Area) ①②	Tenant/ Landlord in general follows the execution authority of the original lease	Consult with RESG.
Amendment to an existing Lease (Extension of Term and/or Expansion of Area) - (in lieu of a new lease) ①②	Tenant (if UC is the Landlord consult with RESG)	see Comments Section →	<p>If the original transaction did not require Regents' approval, and the amendment does not materially modify the terms of the lease in any other way (except for the business terms of the lease extension/expansion), then the authority to approve and execute such an amendment is determined by the additional duration of the term and the increase in rent payable during the term of the lease effected by the amendment (see Flowchart and Illustration "Amendment to an Existing Lease").</p> <p>NOTE In the event of a lease expansion & extension of the term, the combined rent for the expansion and existing space in the <u>first</u> full year following the original term is used, in conjunction with the parameters set above, to determine execution authority (see Illustration mentioned above).</p>
Amendment to Memorialize the Exercise of an Option to extend the term of a Lease (NEW DECISION similar to an Extension of Term [lease renewal] or new lease) ①②	Tenant only	see Comments Section →	<p>Effective 1/18/2001, Standing Order (SO) 100.4 (cc) no longer includes option terms in the determination of the President's authority to approve and execute leases. <i>Effective 11/3/2003, DA 2140 no longer includes option terms in the determination of the Campuses', Lab Directors' and VP-Agriculture and Natural Resources' authority to approve and execute leases.</i></p> <p>THEREFORE, authority to approve and execute any documents required to implement the option is determined by the length of the option term, the value of the first year's rent and the total projected rent over the option term (see Q&A "Exercising Options to Extend the Term of a Lease").</p>

- ① Regardless of authority, the then current seismic safety policy and other life-safety considerations apply.
- ② RESG is available to consult and advise on questions concerning the approval and execution levels.
- ③ If a Regents Item addresses approval and execution authority for ancillary documents and amendments of a Regents approved lease, then regardless of subsequent changes in authority, the language of the Regents Item governs authority to approve and execute future agreements related to a Regents' approved lease.