

# GUIDE FOR Non-residential property tenants

Relief for inability to vacate business premises due to COVID-19

## Do you qualify for relief?

- ✓ Lease or licence for non-residential property
- ✓ Lease or licence:
  - Entered into or renewed before 25 March 2020; or
  - Originally entered into before 25 March 2020, and renewed automatically or in exercise of a right of renewal on or after 25 March 2020
- ✓ Lease or licence expired or terminated on or after 1 February 2020
- ✓ **Unable to vacate property due to COVID-19**
- ✓ **Holding over could not be avoided by taking reasonable steps.** Reasonable steps include:
  - Contacting a moving company to check if they could help with vacating the premises
  - Making good efforts to independently engage workers to help with vacating the premises

This relief does not apply to charges for holding over that you have already paid.

## What does the relief do?

If you serve a **Notification for Relief**, then, up to 19 November 2020<sup>^</sup>, your liability for holding over is limited to the amounts listed below:

Time period	Condition	Amount payable for the relevant period
During such part of the holding over period that overlaps with Circuit Breaker or Phase One (7 April – 18 June, both dates inclusive)	If you <b>did not operate</b> your business on the premises during this period	Not liable for any sums, except for any service, maintenance and utilities charges
	If you <b>operated</b> your business on the premises during this period	The <b>lower</b> of (a) or (b): a. The amount you must pay under the lease or licence for holding over b. Landlord's choice of 100% of rent* or 100% of market rent of the premises during this period
During such part of the holding over period that is either before Circuit Breaker or after Phase One (1 February – 6 April or 19 June – 19 November respectively, both dates inclusive)	If you <b>did not operate</b> your business on the premises during this period	The <b>lower</b> of (a) or (b): a. The amount you must pay under the lease or licence for holding over b. Landlord's choice of 50% of rent* or 50% of market rent of the premises during this period
	If you <b>operated</b> your business on the property during this period	The <b>lower</b> of (a) or (b): a. The amount you must pay under the lease or licence for holding over b. Landlord's choice of 100% of rent* or 100% of market rent of the premises during this period

\* "Rent" is the amount payable for the lease or licence of the property, and includes all service, maintenance and utilities charges. The amounts are to be calculated based on the last rent payable under your lease or licence.

<sup>^</sup> The Ministry of Law will extend the relief period from 19 October 2020 to 19 November 2020.

If you operated/did not operate your business on the property for only a part of the relevant period, the amount payable will be pro-rated accordingly.

## How to get relief?

Serve a Notification for Relief on your landlord, using the form at [www.mlaw.gov.sg/covid19-relief/notification-for-relief](http://www.mlaw.gov.sg/covid19-relief/notification-for-relief). The relief applies after the Notification is served.

