

COVID-19 Commercial Lease Disputes

Self-declaration form

I understand that:

In submitting this form, I acknowledge and agree that all of the information provided is true and correct.

If circumstances change that may affect my eligibility for funding, I need to immediately inform the service provider (FairWay).

If I provide false or misleading information, my funding may be revoked.

If I am subsequently found to be ineligible for funding, I may be required to repay the total subsidy amount for the services I received.

A copy of this form will be retained by FairWay and may be provided to the Ministry of Justice for audit purposes.

Landlord/ Tenant signature _____ **Date:** _____

Contact details

Landlord

Landlord name:

Landlord address:

Landlord phone number:

Landlord email address:

Tenant

Tenant name:

Tenant address:

Tenant phone number:

Tenant email address:

The information you provide in this form will be collected by FairWay to review your eligibility to receive the Ministry of Justice subsidy when accessing the COVID-19 Commercial Lease services (arbitration or mediation).

Does your dispute qualify for the subsidy?

For subsidy access, the tenant must have experienced a material loss of revenue because of government restrictions put in place to combat COVID-19.

If you are a landlord, please complete the questions below to the best of your knowledge.

Has the tenant experienced a material loss of revenue because of COVID-19 restrictions?	Yes	No
If you selected 'yes' please briefly explain how the tenant's revenue has changed: <i>For example, has there been a significant decline in revenue, or has the tenant received the COVID-19 Wage Subsidy or Wage Subsidy Extension.</i>		

For subsidy access, the landlord and tenant must **not** have not previously come to an agreement about rent payment during the relevant lockdown period.

For the purposes of this form, a lockdown period is defined as a period when Alert Level 3 or 4 has been declared nationally or in the region where the lease site is located.

Have you previously come to an agreement with the other party (landlord or tenant) about the payment of rent during the relevant Alert Level 3 or 4 lockdown period?	Yes	No
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Do you meet the eligibility criteria?

Criteria: New Zealand based

The landlord or tenant must be New Zealand based.

Requirements for businesses:

Is your business registered and operating in New Zealand?	Yes	No
Business trading name: New Zealand Business Number (NZBN):		
Is your business registered with the New Zealand Companies Office?	Yes	No
Companies Office and/ or Charities number:		

Is your business physically located in New Zealand? Business address: Lease site under dispute (if different to above):	Yes	No
Does your business have an overseas head office, or is it part of an overseas based multi-national?	Yes	No
Are your employees legally entitled to work in New Zealand?	Yes	No

Requirements for sole traders:

Is your business physically located in New Zealand? Business trading name: Business address: Lease site under dispute (if different to above):	Yes	No
Are you legally entitled to work in New Zealand?	Yes	No
Do you have a personal IRD number for paying income tax and GST?	Yes	No
Do you maintain all government licenses and permits needed for you to operate your business? <i>(Answer Yes if no licenses or permits are required)</i>	Yes	No
Do you have the relevant qualifications or registrations for your trade or profession?	Yes	No

Criteria: 20 or fewer full-time employees

The landlord or tenant must have 20 or fewer full-time equivalent staff.

For the tenant: this means having 20 or fewer for the lease site under dispute.

For the landlord, this means having 20 or fewer *in total*.

When calculating full time employees:

For the purposes of this form, a full-time employee works an average of 30 hours or more per week. A part-time employee works an average of less than 30 hours per week.

For the purposes of calculating the total number of full-time staff, one full-time employee is equal to two part-time employees.

If you or your employee works variable hours, use the average hours worked each week over the last 12 months. If less than 12 months, use the average hours worked since your/ their employment began.

If you are the tenant: Do you have 20 or fewer full-time staff for the lease site under dispute?	Yes	No
If you are the landlord: Do you have 20 or fewer full-time staff in total?	Yes	No

Please return form to civil@fairwayresolution.com