Use and Lease of Real Estate

Policy Statement

University real estate (land, buildings, including space within a building, air rights, water rights, and mineral rights) owned and leased must be used for purposes that contribute to the mission of research and discovery, teaching and learning, and outreach and public service, unless a written agreement provides for another approved use of the real estate by a non-University entity. University units are responsible for overseeing the proper use of real estate assigned to or used by them.

All real estate is owned by Regents of the University of Minnesota, not by the campus, colleges or administrative unit that is assigned, occupied, or otherwise uses the real estate.

The University recognizes that:

- the purpose of a non-University entity may coincide with or complement that of the University;
- its facilities may be particularly well-suited for specific short-term uses by non-University entities; and
- excess capacity may exist for certain facilities during certain times of the year.

Non-University entities, and individual faculty and staff leasing University real estate for personal use, require a written agreement, regardless of duration of use or amount of rent paid. University units reserve scheduling priority over non-University entities (see Appendixes section of this policy).

No University unit or individual can enter into a use or lease agreement without the approval authority of the Real Estate Office.

Reason for Policy

To implement Board of Regents Policy: Property and Facility Use by providing a framework to ensure that real estate owned and leased by the University is used to provide facilities for faculty, staff, and students in support of the University's mission; to minimize financial risk; clarify legal responsibility and uphold the University's reputation; and to enhance accountability and transparency.

Procedures

- Use and Lease of University Real Estate by Non-University Entities
- Use and Lease of Non-University Real Estate

Forms/Instructions

There are no forms associated with this policy.

Additional Contacts

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Fax/Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Contact(s)</td>
<td>Susan Carlson Weinberg</td>
<td>612-624-5345</td>
<td><a href="mailto:weinberg@umn.edu">weinberg@umn.edu</a></td>
</tr>
<tr>
<td>Real Estate Leases</td>
<td>Leasing Manager</td>
<td>612-624-2231</td>
<td>612-624-6345</td>
</tr>
</tbody>
</table>
DEFINITIONS

Lease
A contract which provides for the real estate owned by one party to be used and controlled on an
ongoing basis by another party during the term of the contract.

Non-University Entity
A group or individual not a part of the University, as well as University employees using University real
estate for personal use and student organizations not covered by the University's liability insurance.

University Unit
Any campus, college, department or program of the University covered by the University's liability
insurance. This includes Campus Life student organizations.

Use Agreement
A contract which provides for real estate owned by one party to be used by another party, typically for
short term uses such as conferences and events.

RESPONSIBILITIES

Board of Regents
Has the exclusive authority and power to approve University real estate leases and use agreements if
the present value amount to be paid by or to the University during the initial term exceeds $250,000.

Non-University Entity
Uses University real estate in accordance with the terms of the contracted agreement, including
providing evidence of required insurance coverage.

Office of the General Counsel
Develops or approves all University real estate contracts.

President
Has delegated authority to the Senior Vice Presidents, Vice Presidents and Chancellors, who have
delegated all or some of their authority to others, to execute leases of non-University real estate by
their unit and use agreements with a present value not exceeding $500,000, subject to Approval
Authority, Funding Approval, and Legal Approval. Refer to the Delegations Library for more details.

Real Estate Office
Has responsibility and Approval Authority for all use agreement transactions over $10,000 (Approval
Authority for use agreements not exceeding $10,000 has been delegated to the signature authority)
and all lease agreement transactions. The Real Estate Office administers all leases and maintains
databases of the University's real estate leases and use agreements as well as its owned real estate.

University Unit
Uses University owned and leased real estate for mission-related purposes and oversees use and
lease agreements providing for use of building space or other real estate assigned to them by
non-University entities.

Vice President and CFO
As delegated by the President, has signature authority for University real estate leases and use
agreements if the present value amount to be paid by or to the University during the initial term does
not exceed $500,000, subject to Approval Authority, Funding Approval and Legal Approval. The Vice
President and CFO has delegated this authority to the Director of Real Estate. The Vice President
and CFO is the signature authority for real estate leases and use agreements approved by the Board
of Regents.

APPENDICES

- Use of University Real Estate for Co-Sponsored Events
- Using and Leasing University Real Estate (Permissible Uses and Scheduling Priority)

FREQUENTLY ASKED QUESTIONS

There are no Frequently Asked Questions for this policy.

RELATED INFORMATION

- Board of Regents Policy: Reservation and Delegation of Authority
- Board of Regents Policy: Property and Facility Use
- Delegations Library