



STEP 6 - DURING YOUR LAND TENURE

DURING YOUR LAND TENURE

Remember that, in order to ensure a productive tenure, each party needs to work hard throughout the duration of the arrangement to maintain a beneficial relationship. A couple of resources that can assist are the [Regenerative Farm Resilience Guide](#) and the [Ag Risk and Farm Management Library](#).

Regular Meetings

Regular meetings are essential. It's natural that circumstances for both parties will evolve and change over time, and regular meetings will ensure everyone knows where they stand, and what is happening in each other's lives.

By maintaining open and regular communication, this will make addressing any issues or concerns easier, and will help you avoid misunderstandings. Establishing an open dialogue may also help build mutual respect and create clear processes for handling potential disputes.

Make sure you communicate any significant issues, changes to your arrangements, or ideas you may have for changes to your farming enterprise.

Meetings can take place in many forms. If the landowner doesn't live on the property, these might need to be over the phone, or online. You might like to catch up off-farm over a coffee, on neutral ground. It is also useful to arrange regular inspections of the property. If you are the tenant, invite the landowner to see what you've been doing, and how you are helping to improve the land. Show off the good work you're doing, but also be prepared and unafraid to explain anything that hasn't gone to plan.

Monitoring and Measuring

Establishing a monitoring process for any agreed practices outlined in your lease and/or land management plan is essential to ensure that both parties fulfil their obligations according to the agreed terms. Regular monitoring helps to identify issues early, allowing for adjustments to be made, which can prevent conflict or mismanagement of the land. Ongoing oversight ensures that the goals of your business plan and the terms of your lease are met, and that the land remains productive and sustainable over the long term.

Documenting the condition of the land from the start and at the end of the lease will help avoid disputes over damages or changes in condition. This might include monitoring soil quality as well as managing existing infrastructure such as fences and buildings. Conducting regular inspections of the land to identify and address issues will help prevent potential conflict.





STEP 6 - DURING YOUR LAND TENURE

Manage Your Personal Circumstances

Ensure you manage your budget to cover lease payments and other financial obligations. Have contingency plans in place if you are likely to face financial difficulties, and ensure you review and update your insurance cover as necessary to protect against risk.

Maintaining detailed records of land use, maintenance activities, and communications with the landowner throughout the lease term will be invaluable. Keep receipts and invoices related to land expenses, improvements, and lease payments.

Renegotiating for the Future

You will want to have agreed on your base lease rate, but equally important is to be clear on what the triggers might be for any re-evaluation of the lease. You may like to include a clause outlining 're-evaluation triggers'. These could include:

- Ecological or human-caused disasters
- Increases or changes in tax rates or insurance requirements
- Farmer and Farmer family health
- Life-crisis events

Hopefully, your land tenure will prove successful for both parties, and when the time comes, both will be keen to renew. If you are interested in renewing a lease, begin discussions with the landowner well before the lease term expires to successfully negotiate terms and address any concerns.

Changing Circumstances - Breaking a Lease

Circumstances do change, and in some cases either party may need to break the agreement. Breaking a lease may require careful consideration and negotiation. Understand that any disputes or issues related to breaking the lease could affect future opportunities, so aim to resolve the situation in a way that maintains positive relationships and preserves your reputation.

Here are some tips on how best to approach it:

- Carefully review the lease agreement to understand the terms related to early termination. Look for any clauses that specify conditions, penalties, or notice requirements for breaking the lease. Determine the required notice period for terminating the lease.
- Consider consulting with a legal professional to understand your rights and obligations. If negotiations become contentious, mediation may be a useful option to resolve disputes amicably.
- Be aware of any financial penalties or fees associated with breaking the lease. If you are the tenant, this might include forfeiture of deposits, payment of remaining lease amounts, or other charges.
- Initiate an open and honest conversation with the other party as soon as you realise you need to break the lease. Explain your situation clearly and provide as much notice as possible.
- If you are the tenant, arrange for the land to be returned in good condition, as stipulated in the lease agreement. This might involve cleaning up, repairing any damage, or completing ongoing maintenance. Ensure that all personal property and farming equipment are removed from the land before the termination date.
- If you are the tenant, offer potential solutions or compromises, such as finding a replacement, which may help mitigate the impact on the landowner. This can help reduce the financial impact on both parties and make the transition smoother. If this is possible, offer support during the transition period, such as providing information about the land's current condition or assisting with the handover process.