



Real Estate Broker Compensation Policy

Adopted September 1995, Amended September 2000.

Amended February 2003, Amended June 2005, Amended July 2012

1. The City of Melbourne Airport Authority shall allow licensed brokerage participation in the lease of industrial and commercial real estate while continuing its efforts to solicit and acquire tenants through its own staff.
2. The City of Melbourne Airport Authority has the sole and absolute discretion to accept or reject any offers to lease, and no commissions will be paid on transactions or offers that the Airport Authority has rejected.
3. In order for a broker to represent a prospective tenant before the Airport Authority, the broker shall furnish a letter signed by an authorized official of the prospective tenant ("certification"), identifying the broker as its designated representative for the proposed lease transaction. If requested, the Airport Authority will sign a nondisclosure agreement with the broker/prospective tenant.
4. No lease pricing structure shall be reduced solely due to the absence of broker involvement.
5. The real estate broker commissions shall be based on as follows:
 - a. For undeveloped land, as defined by the certified land survey shall be not more than 5 percent (5%) of the first 10 years of the lease of the actual gross base rent paid by Tenant to Airport, excluding waivers, deferrals, ad valorem taxes, non-ad valorem assessments, and sales tax.
 - b. For buildings and infrastructure, the real estate broker commission will be 5 percent (5%) of the first 10 years of the lease of the actual gross base rent paid by Tenant to Airport, excluding waivers, deferrals, ad valorem taxes, non-ad valorem assessments, and sales tax.
 - c. Airport Authority staff at its sole discretion will determine if the commission will be paid over the course of the first 10 years of the lease term or actual term of the lease if less than 10 years, in quarterly increments, or in a lump sum payment upon the issuance of a Certificate of Occupancy or confirmed occupancy.
6. The Airport Authority shall pay commissions to a licensed real estate broker only if the broker is certified by prospective tenant to be the procuring cause of the lease.

(6a) Said certification shall be presented to the Airport Authority at least 10 days before the Airport Authority Board meeting that the lease will be presented.
7. In the event a transaction involving a broker results in the Authority granting an option or right of first refusal for an adjoining parcel, a commission will be payable if said option or right of first refusal is exercised within a period of five years or the term established in the lease, whichever is shorter.