

**ORDER**

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

CE 4660.2A

CENTRAL REGION

11/12/93

SUBJ: REVIEW OF SPACE LEASES AND AIRWAY FACILITIES LAND LEASES

1. PURPOSE. This Order furnishes guidelines to assure more effective handling of problems relating to leased space and services provided as part of the space lease and an element of review for land leases, licenses, and permits for Airway Facilities sites.
2. DISTRIBUTION. This Order is distributed to branch level and above in the regional office and all field offices.
3. APPLICABILITY. This Order applies to managers of all offices and facilities occupying space (AFS, AFSFO, FSDO, FIFO, CASFO, CASFU, ACO, MIDO, MISO, AFSS, TRACON, RAPCON, ATCT, NATCOM, OTFO, STAGING AREA, ARTCC, FMP, FIO, etc.) and land leased by the FAA and to Logistics Division real estate contracting officers involved in contract execution and administration.
4. CANCELLATION. Order CE 4660.2, dated November 16, 1972, is canceled.
5. GENERAL. The responsibilities of the Government and Lessor are usually well defined in the lease under which the FAA occupies the premises.
  - a. Maintenance. With few exceptions, leases require the Lessor to maintain the premises in good repair and tenantable condition.
  - b. Service. The services the Lessor is to furnish are usually defined in the lease. Services vary but generally cover items such as heat, water, air conditioning, janitor service, etc.
6. RESPONSIBILITIES.
  - a. All managers of field offices and facilities will:
    - (1) Review space lease provisions annually during the month of June to assure that services contracted for under the lease are being furnished, request local corrective action to the extent indicated in paragraph 7.b., and refer unresolved problems in accordance with paragraph 7.c.
    - (2) Record by memorandum to file the dates on which reviews were made, the conclusions reached, and if necessary, actions taken, and furnish Logistics Division, Real Estate and Utilities Branch, ACE-56, a copy of the memorandum.
    - (3) Secure advance approval from ACE-56, for any repair, alteration, or improvement proposed prior to local procurement action.

(4) In the case of GSA leases, ACE-56 should be contacted immediately. Under normal circumstances, repairs, alterations, or improvements will be handled by GSA with the Lessor.

7. PROCEDURES.

a. The Logistics Division, Real Estate and Utilities Branch, ACE-56, will furnish a copy of all leases to the office or facility concerned. Where a single lease covers space for more than one office or facility, a copy will be furnished to each.

b. Where corrective action is indicated, the head of the facility will request the Lessor to take action if the action required is clearly the responsibility of the Lessor. Where several offices or facilities are involved, the heads of those offices or facilities will agree on a single spokesperson to represent all concerned.

c. In doubtful or borderline cases where responsibility is not clearly fixed or where the field contact has failed to produce desired results, the problem will be referred to the Logistics Division, Real Estate and Utilities Branch, ACE-56, in sufficient detail to permit a determination as to the action to be taken. Pertinent details should include:

(1) Information as to local contacts (if any) made with the Lessor and the results obtained.

(2) A specific description of the nature and extent of the deficiency. If redecorating is involved, a statement should be included showing when the space was last redecorated and by whom.

(3) A statement as to whether the condition requiring correction was caused by FAA activities or acts of its employees.

(4) Special conditions to be reported to the Logistics Division as they occur.

d. The Logistics Division will determine whether responsibility to take action is that of the Lessor and will either:

(1) Request action be taken by the Lessor, or

(2) Refer the matter to the appropriate program office with recommended action.

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8. REVIEW OF AIRWAY FACILITIES LAND LEASES. Additionally, the managers of Airway Facilities sectors, in conjunction with the leased space review, shall:

a. Cause to be physically inspected technical facilities' land leases to assure that:

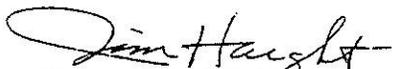
(1) Acreage holdings do not exceed minimum standards.

(2) All decommissioned facilities have been reported to Logistics Division, Real Estate and Utilities Branch, ACE-56.

(3) Facilities used for storage of obsolete, excess, or surplus property are reported to Logistics Division, Real Estate and Utilities Branch, ACE-56, when no longer needed.

b. Provide general surveillance over all outgranted real property and report outgrant non-compliance deficiencies for corrective action to Logistics Division, Real Estate and Utilities Branch, ACE-56. An outgrant is a formal real estate document which permits the use of FAA-controlled real property by other parties.

c. Certify by memorandum to Logistics Division, Real Estate and Utilities Branch, ACE-56, that actions required by paragraphs 8.a. and 8.b. have been taken in conjunction with the annual space review required by paragraph 6.a.(1).

  
James E. Haight  
Regional Administrator