



Buttons that are designed to work -- but don't

By JASON HUGHES

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Do elevator "Close Door" buttons actually work? A short opinion piece in *Fortune* magazine sometime back asked the question rhetorically as a creative way to call attention to the growing impatience we, as a work society, are experiencing. Workers board elevators and want to shut the door immediately, not caring a whit about slower boarders behind them. Urban motorists honk their car horns futilely in traffic jams the same way pedestrians push a button to activate the "Walk" light immediately upon reaching the crosswalk, fully expecting all cars to stop dead in their tracks while they waddle across the thoroughfare.

The writer then quotes a leading elevator company official as saying the Close Door button "really does no good at all," adding that even if the buttons did work, impatient riders would save only five seconds a trip. If only fake buttons on elevators were the only things that didn't work in today's typical office building. Pity the hapless office tenants who have to contend with "buttons" for other things that are designed to work but don't. Even worse, there is one high-rise building downtown where rarely a week goes by without someone getting stuck in the elevator for 15 minutes or more.

But I digress. Let's take a look at some of the inoperative buttons in office leases.

-- Lease audit rights. Many, if not most, office leases contain enough restrictions and ambiguities to give landlords literally thousands of creative ways to mask inappropriate expenses as building operating costs. There are far too many instances in which landlords are slipping baseball and football tickets, ski trips, wine and an occasional box of cigars into operating expenses that are charged back to lessees. Tenants need a "button" that gives them a reasonable and effective right to audit building operating expenses to be sure the "charge-backs" they are paying are truly related to the building itself.

-- Parking expenses. If ever there was a button needed to close the door to an unreasonable tenant expense it would be for parking costs. Is it reasonable to believe that the \$180 per parking stall now being charged each month is really "market rate," considering the "market" is limited to two parking companies? The person who believes two companies make a viable market is the same sap who still believes deregulating electrical rates will save consumers money.

-- Window washing. Once a quarter is the lame promise made by landlords to most tenants. It's yet another example of a button that just doesn't work. I know tenants whose windows haven't been washed for nearly a year.

-- Janitorial service. Have you any idea of what "janitorial service" is supposed to include? Have you ever seen a written itemized list of what services you're entitled to receive? Chances are the list is as relevant as the now-famous elevator button. Meanwhile, you might check the top of your picture frames, the window ledges, and what lurks behind your credenza. Bring your Oreck and a can of Pledge with you to work tomorrow.

-- Tenant rights in general. Leases are supposed to protect both the landlord and tenant. It's a wonderful concept; too bad it's yet another button that doesn't work. In the office market, tenants representing themselves hardly have a chance to negotiate for a balanced lease when landlords respond with "take it or leave it."

Window washing, janitorial services and other tenant rights are just the tip of the iceberg in terms of buttons that don't work but should for office tenants. Lazy and incompetent building managers often are at the root of these maladies, yet they continue to operate as if they were efficient and of substantial value. Talk about bad buttons.

In other areas where earthquakes, fires and natural disasters have destroyed a building, those tenants have had to wait as long as six months -- while still paying full rent -- until their landlord decided to collect their insurance payout. Locally, our only protection from this has been the lack of a disaster of that caliber. May we never experience such circumstances.

Beyond the physical office space and building, there are so many other inoperative buttons that need to be fixed on behalf of today's office tenant - reasonable relocation rights, decent tenant-improvement allowances, and options to renew -- to name but three.

In reality, our tendency to want to push a button to close elevator doors, honk our horns in traffic jams and get across a crosswalk is misdirected at factors we cannot influence. If office tenants would channel their frustrated

energies in the direction of their work environments and make sure they had seasoned negotiators -- button pushers -- on their side, they could begin to affect those factors that make a difference in their work environments.

Meanwhile, I'd like to be able to push a button to close the elevator door and ride down all by myself. Just once.

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