

## R705, Leased Space<sup>1</sup>

**R705-1 Purpose:** To establish guidelines for the approval of new leased space and to require annual reporting of leased space to the Utah Board of Higher Education (“Board”).<sup>2</sup>

### R705-2 References

- 2.1 [Utah Code Title 53H](#), Chapter 9, Part 2, Property Rights
- 2.2 [Utah Code § 63A-5b-805](#), Leasing by Higher Education Institutions
- 2.3 [Board Policy R220](#), Delegation of Responsibilities to the President and Board of Trustees
- 2.4 [Board Policy R315](#), Designation of Service Regions and Approval of Out-of-Region Instructional Programs, Branch Campuses, Instructional Service Centers, and Extension Centers
- 2.5 [Board Policy R587](#), Contract of Lease-Purchase Financing
- 2.6 [Board Policy R712](#), Nontraditional Arrangements for Development of Facilities on Campuses

**R705-3 Board Approval of Certain Leases:** Institutions must obtain approval from the Board to enter into new leases of capital facilities space for programs of instruction, research, or service when contracts for leasing such facilities: exceed \$500,000 per year regardless of funding source for the University of Utah; exceed \$250,000 per year regardless of the funding source for all other USHE institutions; or will include instructional space located outside of the service area under [Board Policy R315, Designation of Service Regions and Approval of Out-of-Region Instructional Programs, Branch Campuses, Instructional Service Centers, and Extension Centers](#).

**R705-4 Leasing State-Owned Property to Outside Entities:** The Board shall review and approve institutional requests to lease state-owned institutional property to non-institutional entities if the annual lease cost will exceed: \$250,000 for the University of Utah, or \$100,000 per year for all other USHE institutions.

**4.1 Nontraditional Arrangements:** Approval of nontraditional arrangements for the use of institutional-owned facilities is subject to [Board Policy R712, Nontraditional Arrangements for Development of Facilities on Campuses](#).

**R705-5 Delegation of Authority to Boards of Trustees:** The Board delegates authority to the institution’s Boards of Trustees to approve institutional property leases that do not fall under sections 705-3 and 705-4.

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<sup>1</sup> *Adopted January 20, 2017; amended March 26, 2021, and November 18, 2022.*

<sup>2</sup> *Technical edits August 30, 2024; and December 1, 2025.*

**R705-6 Delegation of Authority to the University of Utah Board of Trustees for University Health Care System Leases:** In accordance with [Board Policy R220, \*Delegation of Responsibilities to the President and Board of Trustees\*](#), the University of Utah Board of Trustees may review and approve all property leases for the University of Utah Health Care System.

**R705-7 Annual Report to the Board:** The Commissioner shall report annually to the Board all space leased by institutions in the Utah System of Higher Education, including space leased for off-campus continuing education programs and space leased in research parks.

**7.1 Institution Lease Information:** In accordance with procedures and forms developed by the Commissioner’s Office, institutions shall annually submit to the Commissioner’s Office information for all space leased by the institution.

**7.2 Submission to the Division of Facilities and Construction Management (“DFCM”):** After review by the Board, the Commissioner shall forward the report to DFCM for possible inclusion in DFCM’s comprehensive 5-year building plan.