

# MARKS & WEINBERG, P.C.

## **LeasePartners Corp. v. The Robert L. Brooks Trust**

942 P.2d 182 (Nev., 1997)

In a case involving the lease of large signs attached to the casino -- the large glittery signs common to casinos, the Nevada court determined whether the signs were fixtures.

According to the Court, Nevada uses three factors to determine whether a thing is a fixture. First, an annexation test determines whether a thing is joined to the real property. Second, an adaptation test tells whether an object is adapted specifically to the use for which the real property is devoted. Lastly, and most importantly, is the intention of the parties at the time the items were installed. This was particularly difficult here, where the parties had no lease themselves (Danzig signed leases with each). The Nevada Supreme Court remanded this case so that the trial could consider the intentions of the parties.

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