

Checklist to Assist a Lodging Property in Achieving Reasonable Care

Part 1

The following list of suggestions, sadly, not exhaustive by any means, has been aggregated as litigation has ensued and the industry has evolved:

1. Strictly comply with limited liability statutes (aka: innkeeper statutes). You may need to retain safety deposit boxes at the desk; you may need more conspicuous signage.
2. Make sure your master code for "in room" safes has been modified from the manufacturer's default code.
3. Inspect your viewfinders (aka peepholes) for tampering. Consider providing a sticky pad in the room with a note to place one over the viewfinder for added privacy.
4. Have only a few rooms with bathtubs to meet actual demand. Install hand held shower heads and seating in the showers.
5. Install and anchor grab bars appropriately in all baths and showers.
6. Install scald protectors on water outlets.
7. Add night lights in guest rooms and bathrooms.
8. Regularly inspect all furniture for stability and carpets for rips.
9. Enable the guest to dial 911 from the "in room" phone, and instruct your staff to call 911 promptly upon request.
10. Inspect all security bars, deadbolts, etc. daily, and have door stops available at the front desk for guests that would like to use them.
11. Avoid using breakfast room service door hangers to place orders.
12. Pay attention to the air quality of your guest rooms, remain cautious when considering cleaning products, paint fumes, 2nd and 3rd hand smoke/vapor contamination, and routinely vacuum/clean upholstery and drapes. As air quality becomes more and more important to guests, in addition to guests who suffer from breathing disorders, allergies and asthma, these practices become essential to your guest experience. Hold non-compliant guests accountable, and try to create safe methods that allow fresh air into the room.
13. Have detailed protocol for pest control and bed bug prevention.
14. Avoid leaving unattended lists of guest names and room numbers at workout and spa access points.
15. Remove free weights (barbells and dumbbells) from unattended workout rooms.
16. Comply with the Graham Baker pool act.

17. Comply with the ADA.

18. Comply with OSHA requirements including training and MSDS.

19. Comply with all building codes including occupancy limits, carbon monoxide detectors, exit sign placement, emergency exit doors (CO alarms installed where appropriate with portable, battery operated alarms available at front desk).

20. Comply with Payment Card Industry Data Security Standards (aka PCI-DSS); as well as all other state and perhaps locally enacted data privacy protection laws.

It would be helpful to review this list and create a GAP analysis (what are you currently doing, what do you feel you should be doing) then create a plan to fill the gap.

Remember we are not the insurers of guest safety, our obligation is to operate hotels with reasonable care. These suggestions will help you achieve that threshold.

Happy Innkeeping!

Stephen Barth is a professor of hospitality law and leadership at the Conrad N. Hilton College of Hotel and Restaurant Management at the University of Houston, the author of Hospitality Law, the founder of HospitalityLawyer.com, The Hospitality Law Conference and the Global Congress on Travel Risk Management.

Sbarth@hospitalitylawyer.com

 @hospitality_law