

## Issues for Hotel Owners and Operators To Consider Before Opening Their Doors As Sanctuary Housing:

- ✔ What population will be served – infected patients only, or first responders and medical personnel who are not infected? Mixing the populations (infected with non-infected) could potentially create many of the problems that this temporary housing solution is intended to solve.
- ✔ Will the entire hotel be turned over or just selected floors? If a significant portion of the users will be infected guests, the hotel should consider whether it should require that the hotel be booked in its entirety.
- ✔ Will hotel staff be interacting with sick guests? The parties should consider whether only trained healthcare professionals should attend to guests with medical issues instead of hotel staff.
- ✔ How will laundry be handled? What about housekeeping? What about medical waste? To what standards should the rooms be cleaned and sanitized?
- ✔ Will food service be needed? If so, who will provide it now that bars and restaurants (including those in hotels) in many cities have closed?
- ✔ The parties should consider how union work rules could influence the issue of who is performing what services, as well as the cost of providing services.
- ✔ The parties should consider how long the term should be, as well as whether the party with which the hotel is contracting should have the automatic right to extend.
- ✔ What are the payment terms? Will payments be made in advance or billed in arrears, and will they be monthly or bi-weekly (to account for staff payroll)? Will there be a deposit to secure the payment obligations? Will there be a dedicated source of funds?
- ✔ The parties should consider whether there will be any access to hotel amenities. The answer could be different depending on whether the hotel is hosting infected patients or first responders and medical personnel who may have been exposed but not infected.
- ✔ The parties should consider how the front desk, key production and hotel security will be managed.
- ✔ Who takes on claims of exposure? What insurance or indemnification will be available to satisfy claims against the party with whom the hotel is contracting? Will the hotel's insurance cover this new activity? Hotel owners should consider checking in with their insurance carriers to confirm coverage and recommendations for additional coverage.
- ✔ How much information about the guests will be provided to the hotel? Will that be different for patients than for medical professionals/first responders?

*This alert is provided for informational purposes only and does not constitute legal advice and is not intended to form an attorney client relationship. Please contact a Sheppard Mullin attorney for additional information.*

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