



Course Number and Title: HRI 219 Innkeepers' Law

Campus Location:

Georgetown, Dover, Wilmington

Effective Date:

2018-51

Prerequisite:

ENG 102, HRI 101 or FSM 123

Co-Requisites:

None

Course Credits and Hours:

3.00 credits

3.00 lecture hours/week

0.00 lab hours/week

Course Description:

This course covers potential legal problems and pitfalls in the hospitality industry, with a focus on the growth of federal government legislation and regulations that affect this industry.

Required Text(s):

Obtain current textbook information by viewing the [campus bookstore - https://www.dtcc.edu/bookstores](https://www.dtcc.edu/bookstores) online or visit a campus bookstore. Check your course schedule for the course number and section.

Additional Materials:

None

Schedule Type:

Classroom Course

Disclaimer:

None

Core Course Performance Objectives (CCPOs):

1. Explain the types of laws and the legal relationship between the hospitality business and the guest. (CCC 1, 4; PGC 6, 7)
2. Discuss criminal versus civil law and the laws of torts and contracts. (CCC 1, 4; PGC 4, 6, 7)
3. Discuss the hotel's duty to receive guests and its right to refuse guests. (CCC 1, 4; PGC 1, 4, 6)
4. Explain the hotel's liability for the loss of guests' and non-guests' property as well as providing guests privacy. (CCC 1, 2, 4; PGC 1, 4, 6, 7)
5. Discuss the Civil Rights Act Title VII and the laws affecting employment. (CCC 1, 3, 4; PGC 1, 4, 6, 7)
6. Describe the hotel's duty to protect guests and guests' property. (CCC 1, 2, 3, 4; PGC 1, 4, 6, 7)
7. Explain laws that may affect hotel operation, including licensing, fire safety, laws related to food service and alcoholic beverages, warranties, copyright, antitrust laws, and the Patriot Act. (CCC 1, 2, 4; PGC 1, 4, 6, 7)
8. Discuss tax and regulatory issues, including franchise, hotel room occupancy, social security, federal income tax, and tip credit as they apply to hotel operations. (CCC 1, 5; PGC 1, 6, 7)

See Core Curriculum Competencies and Program Graduate Competencies at the end of the syllabus. CCPOs are linked to every competency they develop.

Measurable Performance Objectives (MPOs):

Upon completion of this course, the student will:

1. Explain the types of laws and the legal relationship between the hospitality business and the guest.
 1. Discuss the basis from which laws come from, including constitutional, statutory, common, and administrative law.
 2. Describe the development of rules regarding the rights and liabilities of innkeeping under the common law system.
 3. Explain why the laws may differ from state to state and why federal circuit courts may differ in the decisions they render.
 4. Discuss restaurant and hotel advocacy.
2. Discuss criminal versus civil law and the laws of torts and contracts.
 1. Identify and define the elements necessary in the formation of a contract and the common types of contracts formed.
 2. Discuss the difference between a tort and a crime.
 3. Identify the types of crimes that are often committed against hotels.
 4. Define *negligence*, and identify the four elements necessary to bring an action based on tort law.
 5. Explain the doctrine *res ipsa loquitur*.
 6. Describe the concepts of contributory and comparative negligence.

7. Explain the major items that should be included in a written contract between a hotel and its group clients.
 8. Identify the types of insurance that a hotel might advise a convention or group travel client to carry.
 9. Indicate how often a hotel should review its convention group contract, and cite causes illustrating the importance of proper contracts with conventions or any groups.
3. Discuss the hotel's duty to receive guests and its right to refuse guests.
 1. Describe a hotel's duty under the common law to receive guests.
 2. Explain how hotels come under the coverage of the Civil Rights Act of 1964.
 3. Explain the remedies allowed an aggrieved person under the Civil Rights Act of 1964.
 4. Explain the circumstances under which a hotel may refuse to receive a guest.
 5. Indicate possible liabilities for a hotel's wrongful refusal to receive a guest.
 6. Explain the legal implication of the difference between a guest and a tenant.
 7. Explain the conditions under which a hotel can rightfully evict guests or restaurant patrons.
 8. Describe the circumstances under which a hotel may evict persons who are not guests or patrons.
 4. Explain the hotel's liability for the loss of guests' and non-guests' property as well as providing guests privacy.
 1. Explain a hotel's affirmative duty not to allow unregistered and unauthorized third parties access to guestrooms.
 2. Describe guests' constitutional protection against unreasonable search and seizure and warrantless searches.
 3. Explain the concept of a guest's right to privacy as it relates to the hotel.
 5. Discuss the Civil Rights Act Title VII and the laws affecting employment.
 1. State the purpose of the Americans with Disabilities Act (ADA), and briefly describe how Title III of the act affects lodging and food service establishment.
 2. Describe the full employment requirements of the ADA, cite how the act defines an individual with disability, and describe the auxiliary aids or services requirement of the act.
 3. Summarize what the ADA considers readily achievable removal of barriers, and state the suggested priorities of removing barriers in public accommodations.
 4. Explain what ADA requires of new or renovated hotel restaurants with special attention to path of travel guestroom requirements.
 5. Describe the requirements of Title VII of the Civil Rights Act of 1964 with regard to discrimination against protected classes.
 6. Explain Equal Employment Opportunity Commission (EEOC) regulations and Title VII of the Civil Rights Act of 1964, and cite court cases dealing with sexual harassment of employees.
 6. Describe the hotel's duty to protect guests and guests' property.
 1. Describe the hotel's obligation to protect its guests.
 2. Describe the hotel's liability for guest injuries suffered in the hotel's recreational facilities.
 3. Explain how the doctrine of *respondeat superior* affects the hotel as an employer.
 4. Explain how the hotel may be liable for injuries a guest receives at the hands of other guests, patrons, or third parties.
 5. State the common law rule regarding a hotel's liability for loss of the guest's property.
 6. Identify the steps a hotel must take to limit its liability for loss of a guest's valuables, and cite cases illustrating the liability for a guest's property.
 7. Describe the hotel's liability with regard to unclaimed property.
 8. Explain the theory of bailment.
 9. Describe the common law doctrine of *infra hospitium*.
 10. Discuss safekeeping facilities and how they relate to a hotel's liability in compliance with statutory limits.
 7. Explain laws that may affect hotel operation, including licensing, fire safety, laws related to food service and alcoholic beverages, warranties, copyright, antitrust laws, and the Patriot Act.
 1. Describe subjects typically covered by state and local health regulations.
 2. Explain the type of warranty that may be imposed on the sale of food.
 3. Describe the two theories under which a hotel may be sued for serving contaminated food.
 4. Describe privity of contract.
 5. Identify the purpose and regulations of the Uniform Commercial Code.
 6. Describe truth-in-menu laws and labeling laws.
 7. Explain how a hotel applies for licenses to sell alcoholic beverages and the responsibility regarding the sale of alcoholic beverages.
 8. Explain the types of alcoholic beverage licenses that a state's liquor authority issues.
 9. Explain the purpose of the Dram Shop Act and an establishment's liability under this act.
 10. Explain federal laws on product liability.
 11. Discuss the purpose of antitrust laws.
 8. Discuss tax and other regulatory issues, including franchise, hotel room occupancy, social security, federal income tax, and tip credit as they apply to hotel operations.
 1. Discuss franchising and tax issues pertaining to the industry.
 2. Describe hotel occupancy taxes and their effect on today's business environment.
 3. Discuss the Federal Insurance Contributions Act (FICA), the Federal Unemployment Tax Act (FUTA), and workers' compensation.
 4. Discuss the liability of reporting tips to the Internal Revenue Service (IRS).

Evaluation Criteria/Policies:

Students must demonstrate proficiency on all CCPOs at a minimal 75 percent level to successfully complete the course. The grade will be determined using the Delaware Tech grading system:

92	-	100	=	A
83	-	91	=	B
75	-	82	=	C
0	-	74	=	F

Students should refer to the [Student Handbook - https://www.dtcc.edu/handbook](https://www.dtcc.edu/handbook) for information on the Academic Standing Policy, the Academic Integrity Policy, Student Rights and Responsibilities, and other policies relevant to their academic progress.

Core Curriculum Competencies (CCCs are the competencies every graduate will develop):

1. Apply clear and effective communication skills.
2. Use critical thinking to solve problems.
3. Collaborate to achieve a common goal.
4. Demonstrate professional and ethical conduct.
5. Use information literacy for effective vocational and/or academic research.
6. Apply quantitative reasoning and/or scientific inquiry to solve practical problems.

Program Graduate Competencies (PGCs are the competencies every graduate will develop specific to his or her major):

1. Utilize management roles and interpersonal skills to lead/manage first level employees in a hospitality setting.
2. Prepare food and beverage menus for a variety of hospitality requirements considering price, quality, and selection.
3. Utilize knowledge of facilities management to aid in decision making.
4. Perform cost calculations and apply to decision making situations pertaining to factors of production.
5. Evaluate levels of food safety and sanitation to maintain a safe and sanitary work environment.
6. Integrate professional, ethical and legal standards into business practice.
7. Employ the various theories of management and marketing in a business.

Disabilities Support Statement:

The College is committed to providing reasonable accommodations for students with disabilities. Students are encouraged to schedule an appointment with the campus Disabilities Support Counselor to request an accommodation needed due to a disability. A listing of campus Disabilities Support Counselors and contact information can be found at the [disabilities services - https://www.dtcc.edu/disabilitysupport](https://www.dtcc.edu/disabilitysupport) web page or visit the campus Advising Center.