

HOSPITALITY MANAGEMENT DEPARTMENT

COURSE TITLE: **HOSPITALITY LAW**

YEAR 3, ADVANCED DIPLOMA IN HOSPITALITY MANAGEMENT

ANSWER SHEET FOR EXAM

Question one

A. Did the desk clerk act in a reasonable manner?

No, the desk clerk did not act in reasonable manner as he/she didn't respect guest privacy.

Guest privacy is a matter not to be taken lightly in the hospitality industry

When a guest rents a hotel room, the courts have held that the guest should enjoy many of the same constitutional rights as he or she would in his or her own home.

Mr. Bristol even if produced document including pictures of children was not allowed to enter the room without the permission of the woman who was staying in the the room

The hotel through its desk clerk did not respect standard operating procedures (SOP)

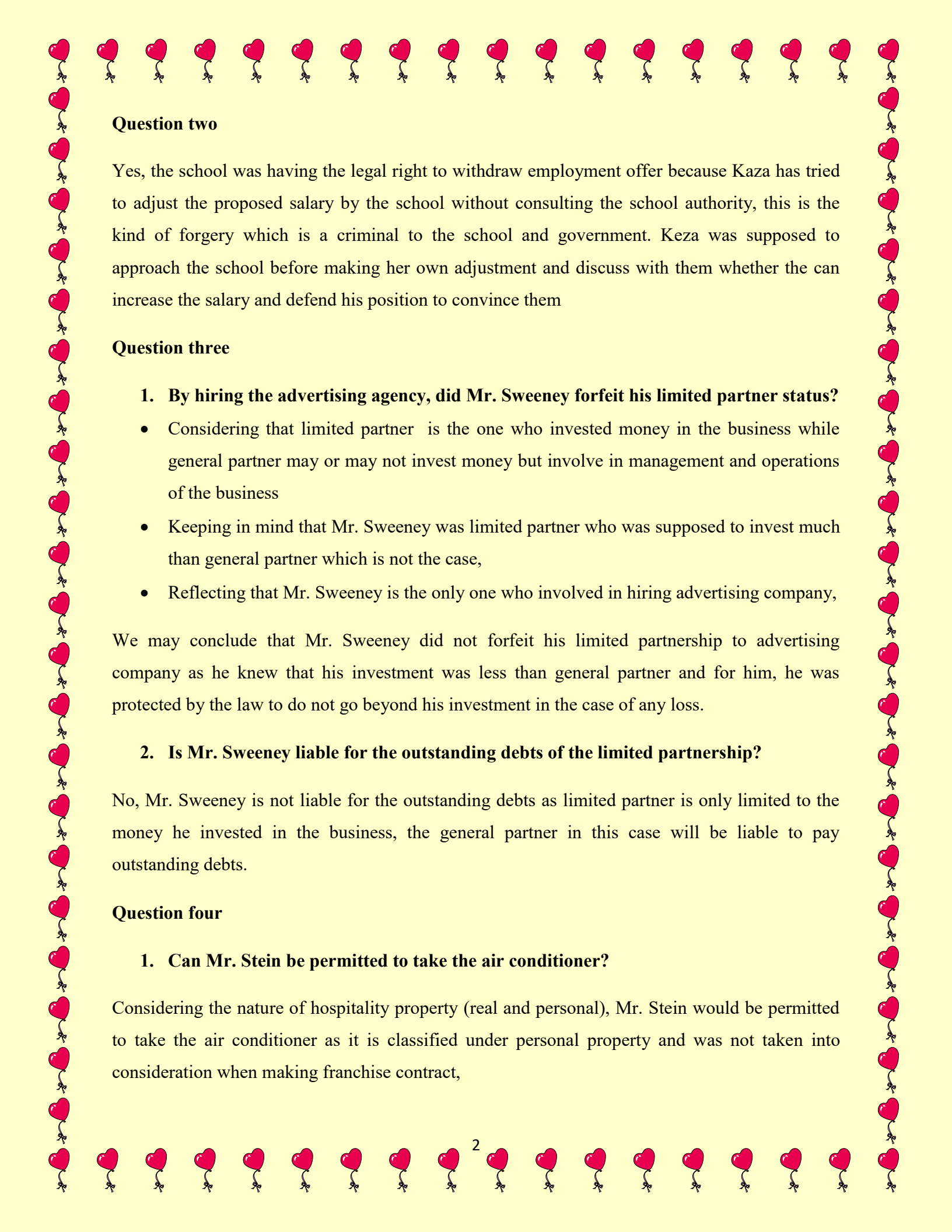
B. Did Mr. Bristol have a right to enter the room?

Absolutely No, the man was not have the right to enter the room.

As the desk clerk failed to get response from the guest in the room through telephone call, he would been communicated the issue to the direct supervisor or floor supervisor so that he/she may follow up to know if the guest in the room is okay or is having problems.

C. What should management do in the future to prevent such an occurrence

What the hotel should do to prevent such problems in the future is to train its employees about standard operating procedures (**SPO**) and where possible post them in employees' places such as changing room, employees' restaurant and employee's notice board. Beyond this, supervisor should adopt the culture of meeting with their subordinates every day before starting a shift and remind them about SPO.



Question two

Yes, the school was having the legal right to withdraw employment offer because Kaza has tried to adjust the proposed salary by the school without consulting the school authority, this is the kind of forgery which is a criminal to the school and government. Keza was supposed to approach the school before making her own adjustment and discuss with them whether the can increase the salary and defend his position to convince them

Question three

1. By hiring the advertising agency, did Mr. Sweeney forfeit his limited partner status?

- Considering that limited partner is the one who invested money in the business while general partner may or may not invest money but involve in management and operations of the business
- Keeping in mind that Mr. Sweeney was limited partner who was supposed to invest much than general partner which is not the case,
- Reflecting that Mr. Sweeney is the only one who involved in hiring advertising company,

We may conclude that Mr. Sweeney did not forfeit his limited partnership to advertising company as he knew that his investment was less than general partner and for him, he was protected by the law to do not go beyond his investment in the case of any loss.

2. Is Mr. Sweeney liable for the outstanding debts of the limited partnership?

No, Mr. Sweeney is not liable for the outstanding debts as limited partner is only limited to the money he invested in the business, the general partner in this case will be liable to pay outstanding debts.

Question four

1. Can Mr. Stein be permitted to take the air conditioner?

Considering the nature of hospitality property (real and personal), Mr. Stein would be permitted to take the air conditioner as it is classified under personal property and was not taken into consideration when making franchise contract,

2. **Would the air conditioner be considered real or personal property?**

Air conditioner in the situation is a real property as when is removed, it cannot damage the building

3. **Should the air conditioner have been mentioned in the sales contract?**

Yes, to avoid any confusion, if the franchisor wanted to have also that air conditioner or other personal property including chairs, tables, refrigerators and others, he was supposed to discuss with franchisee so that it can be more clearly in the contract or if agreed they can make separate contract for real property (building) and personal property (equipments)

Question five

1. **What could Mr. Flood have done to avoid his difficulty?**

Despite the encountered problems that was not allowing Mr. Flood to communicate with the hotel, to avoid the difficult of missing the room, he should have made guaranteed room reservation by paying partial or full payment of the room before the arrival.

2. **What responsibility, if any, does the hotel now have to Mr. Flood?**

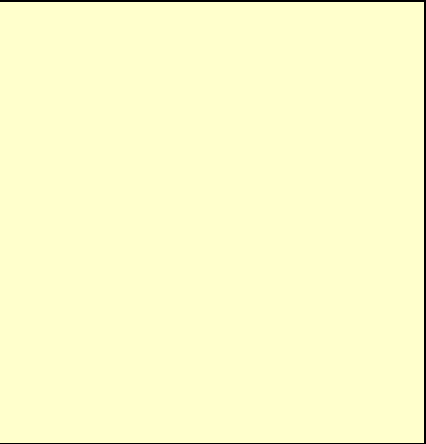
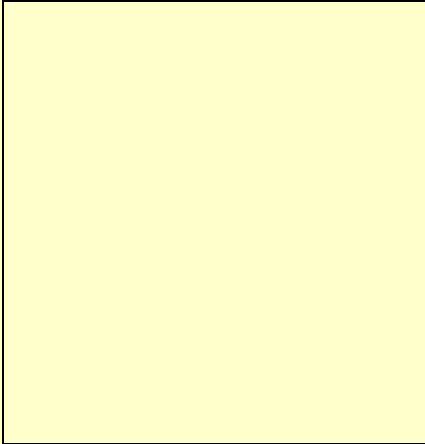
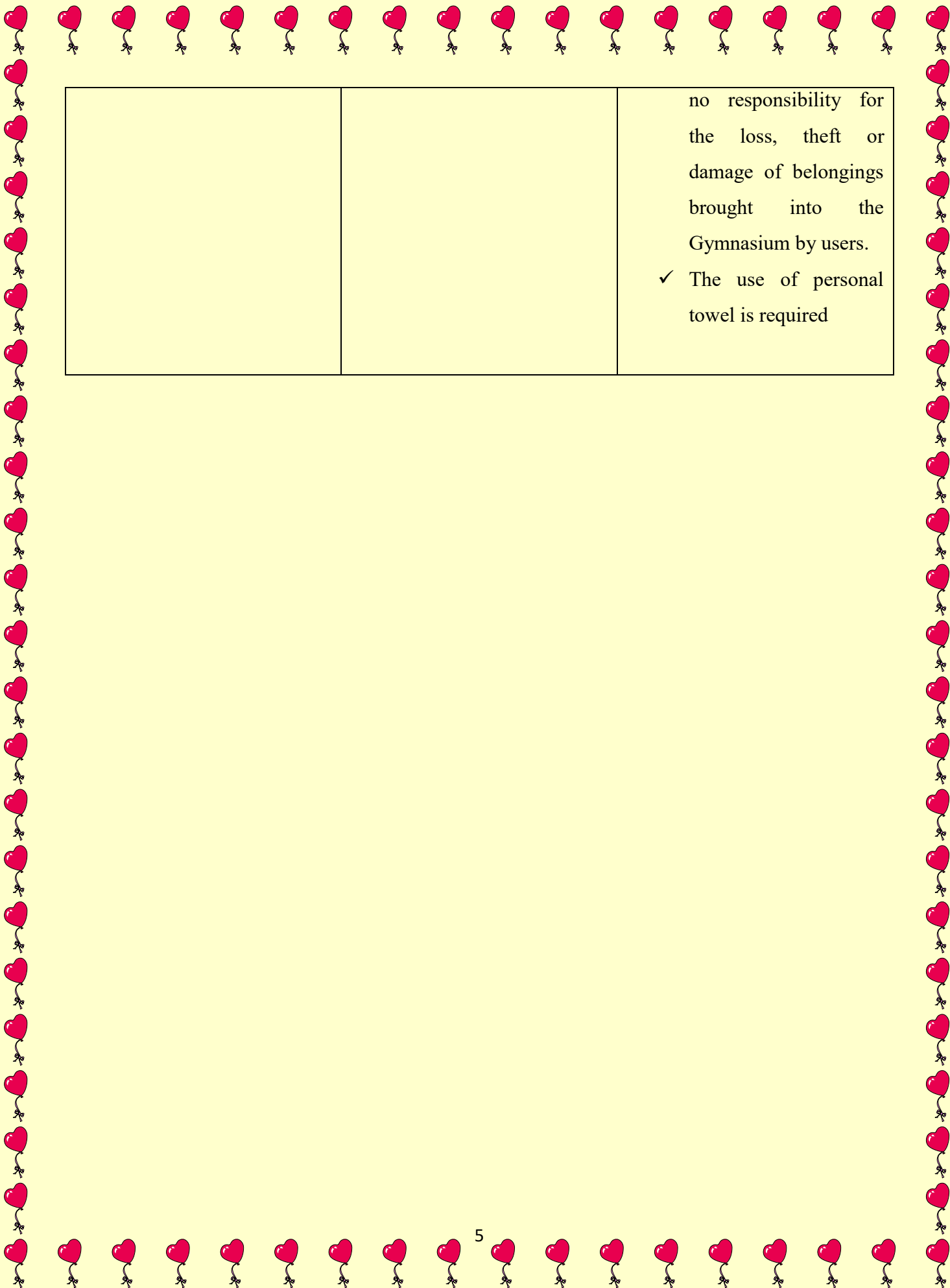
Professionally, the hotel can assist Mr. Flood by finding the nearest hotel on the same standards so that he can rent a room there and get a rest from this frustrated journey.

Question six

Possible examples of incidents that could happen and examples of recommendations to minimize those incidents

Potential liability hotel facility	Example of possible accidents	Recommendations to minimize
Swimming pool	<ul style="list-style-type: none">➤ Drowning➤ Entrapment drowning➤ Diving board accidents	<ul style="list-style-type: none">✓ Mark the depths of pools accurately.✓ Clearly identify the

	<ul style="list-style-type: none"> ➤ Pool side accidents ➤ Slip and fall accidents ➤ Pool chemical accidents ➤ Electrical injuries 	<p>“ deep ” end of the pool</p> <ul style="list-style-type: none"> ✓ Post warning signs in the languages of your customers. ✓ Fence off the pool area, even if it is inside the building
Spa	<ul style="list-style-type: none"> ➤ Slip and falls ➤ Burn injuries ➤ Bed bugs ➤ assault, battery and theft ➤ Drowning 	<ul style="list-style-type: none"> ✓ Install a thermometer and check the spa temperature ✓ Mark the depth of the hot tub. ✓ Prohibit glass in the spa area ✓ Install nonslip flooring surfaces around the spa. ✓ Restrict guest access to spa chemicals and heating elements.
Workout areas	<ul style="list-style-type: none"> ➤ infections ➤ Equipment malfunction ➤ falls ➤ Foreign objects ➤ Poisoning or allergy ➤ Lifting/Handling ➤ struck by an object 	<ul style="list-style-type: none"> ✓ Smoking, eating and drinking (except water) is prohibited in the Gymnasium at all times. ✓ Please mute mobile phones and pagers while on Gym ✓ The Hotel Management will take



no responsibility for the loss, theft or damage of belongings brought into the Gymnasium by users.

- ✓ The use of personal towel is required