

MILLER LAW GROUP, P.C.

A Premier Hospitality & Real Estate Law Firm

When can hotel management enter a room with a Do Not Disturb sign posted?



In California a guest has a reasonable expectation of privacy subject to certain limitations. A court will find that there is a violation of a guest's right to privacy if: (1) the guest has a legally protected privacy interest (2) a reasonable expectation of privacy and (3) conduct by defendant that amounts to a serious invasion of the protected interest.

The answer is that the Innkeeper has a limited right to enter the room for at least the following reasons: to protect and ensure the safety of any guest, the innkeeper suspects potential illegal activity (but do not let police in without a warrant), and after check-out time there is small or no expectation of privacy.

An innkeeper may be liable for damages resulting from the tort "invasion of privacy by intrusion."

I think if I had a registration card or receipt that I provided to the guest showing the guest the room and rate. I would add a sentence something like, *"The Hotel reserves the right to enter the guestroom at least one time per day (even with a Do Not Disturb posted) to ensure proper cleanliness and condition of the room for the suitability, comfort and well-being of yourself and others. By your initials _____, you acknowledge receiving this and authorizing hotel personnel to enter your room for the stated purposes."*

THE FOREGOING IS A GENERAL STATEMENT REGARDING A HOTEL'S RIGHT TO ENTER A ROOM AND ANY INNKEEPER SHOULD CONSULT HIS/HER ATTORNEY TO OBTAIN DIRECTION WITH RESPECT TO EACH PARTICULAR SITUATION. MILLER LAW GROUP MAKES NO REPRESENTATIONS OR WARRANTIES AS TO THE APPLICABILITY OF THE INFORMATION TO A PARTICULAR SITUATION.

Mitch Miller
Miller Law Group, P.C.
260 Sheridan Avenue, Suite 208
Palo Alto, CA 94306-2009
Main: 650-566-2290
Fax: 650-566-2298
E-mail: mmiller@millerlg.com