

MEMPHIS AREA ASSOCIATION OF REALTORS®
ALCOHOL GUIDELINES
(Adopted February 23, 2012)

1. Insurance and General Statement of Law

MAAR will maintain at all times host liquor liability insurance coverage, which protects MAAR at least as long as there is no charge, directly or indirectly, for the alcohol served. In general, and to the extent practicable, MAAR also should utilize liquor liability insurance coverage (not merely liquor host liability insurance coverage) and general commercial liability insurance coverage provided by catering companies and restaurants. In general, and under certain circumstances, Tennessee law provides that a seller of alcohol may be liable for injuries to a third person if the seller of alcohol sold it to a person known to be under 21 years of age or to a person who is “obviously intoxicated.” Even if proper permits or licenses are in effect, there can be liability arising from the serving of alcohol.

2. Event At MAAR Premises Not Sponsored By MAAR

For each event that is held at MAAR’s premises and that is not sponsored by MAAR, the sponsor shall be required to sign the Event Rental Agreement for MAAR Education Center, a copy of which is attached hereto. Although blank lines shall be filled in before said agreement is executed, no changes shall be made to the substantive provisions of the form except by the Executive Vice President after consultation with MAAR counsel.

3. MAAR-Sponsored Events Where Beer Is Served

In order to comply with state and local licensing and permit requirements, if beer is served at MAAR’s premises or some other venue that does not have a beer permit, either the public shall not be allowed to attend or a special beer permit shall be obtained from the Memphis Alcohol Commission.

If beer is served at a MAAR-sponsored event other than an event of the sort described in Section 6 below, MAAR will generally try to ensure that:

- (a) The beer is dispensed either: (i) by insured and Tennessee Alcoholic Beverage Commission licensed servers of a catering company (which may include the catering staff of a restaurant) that is retained by MAAR for the event, or (ii) by an employee of the restaurant (with a beer permit) where the beer is being served; AND
- (b) Such caterer or restaurant has general commercial liability insurance coverage and liquor liability insurance coverage (not merely host liquor liability insurance coverage) with policy limits of at least \$1,000,000.00 per occurrence; AND
- (c) Before the event, such caterer or restaurant provides to MAAR a certificate of insurance that reflects: (i) general commercial liability coverage AND liquor

liability coverage presently in effect, with policy limits of at least \$1,000,000.00 per occurrence, AND (ii) MAAR as an additional insured under such general commercial liability coverage and such liquor liability coverage.

4. MAAR-Sponsored Event Where Liquor or Wine Is Served

In order to comply with state and local licensing and permit requirements, if liquor or wine (but not beer) is served at a MAAR-sponsored event at MAAR's premises, no Tennessee Alcoholic Beverage Commission permit is required as long as the public is not permitted to attend and as long as there is no charge, either directly or indirectly, for such liquor or wine. However, MAAR prefers that even for those events, and particularly if there is a charge for liquor or wine, or if members of the public are allowed to attend the event, or if the event is not held at MAAR's premises, the same suggestions be followed for the serving of liquor or wine as are set forth in Section 3 above for the serving of beer.

5. Special Events, Such as 5K Runs, at Which MAAR Is a Co-Sponsor

If, for example, a 5K run is hosted by a charity and MAAR is a co-sponsor, MAAR staff will generally try to ensure that: (a) the charity has the necessary beer permit from the Memphis Alcohol Commission and/or liquor and wine permit from the Tennessee Alcoholic Beverage Commission, assuming that alcohol is to be served; AND (b) the charity has appropriate insurance coverage and policy limits, with MAAR being named as an additional insured on such policy or policies; AND (c) the charity furnishes to MAAR, substantially in advance of the event, a certificate of insurance reflecting the appropriate coverage (including liquor liability if alcohol is served), with appropriate policy limits (at least \$1,000,000.00 per occurrence), and showing MAAR as an additional insured.

6. MAAR-Sponsored Events for MAAR Board Members and Invited Staff

At MAAR Board of Directors' retreats and other similar events, the President of MAAR may allow invitees to bring their own alcoholic beverages or MAAR may supply (but not charge for) alcoholic beverages and still have MAAR protected by its host liquor liability insurance coverage.