Avoiding Business Pitfalls

June 20, 2025

Boston Regional IAPF Meetup

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PICKLEBALL FACILITIES

Insurance

- Protecting your facility / business is key
  - Liability
  - Business Interruption
  - Waivers are good and should be done

Have your policy reviewed by Pickleball Insurance Program

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Legal – Intellectual Property

- Do you have a registered trademark for your company name?
- Do you have rights to use every photo or image you use in your business?
- Does your waiver give you permission to use photos/videos of anyone in your facility?
- Has your waiver been reviewed by your attorney?
- Do you have the appropriate license for music/video that is played in your facility?

BMI

ascap
WE CREATE MUSIC

GLOBAL MUSIC RIGHTS

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Legal – Accessibility and Discrimination

- ADA compliance in your physical facility and on your website

Website ADA Lawsuit

- Espinal v Pickleball Bella, Inc.
- Miller v SD Pickleball Distribution LLC
- Knowles v Pickleball Topco (Pickleball Central)
- Miller v Franklin Sports Inc
- Calcano v Selkirk Sport LLC
- Herrera v Vulcan Sporting Goods
- Herrera v Recess Pickleball

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Legal – Medical Care and Emergency Planning

- Do you have protocols that staff is trained on for medical or other emergencies (extreme weather, bomb threats, etc.)?
- Do you have an AED?

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Legal – Maintenance & Safety

- Protocols for regular maintenance
- Rapid mitigation of safety issues

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Legal – HR Issues

Do you have protocols for hiring and firing employees?

Employee vs 1099 contractor policy?

Employee Handbook?

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Legal – Regulatory Compliance

Zoning laws?

Food and beverage?

Occupancy requirements?

Fire code - drapes, greenery, etc.

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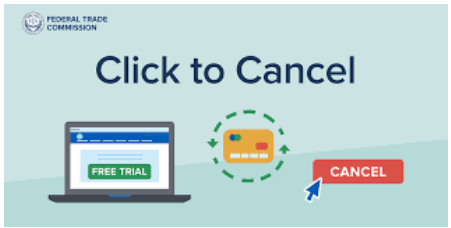
Legal - Miscellaneous

- Protocols for dealing with unaccompanied minors at camps and events
- Has an attorney approved all investor documentation?
- PCI compliance?
- Video coverage – courts, alcohol, pro shop?
- FTC “click-to-cancel” rule?



Accounting

- Cash, accrual, or a hybrid
- Documentation for all 1099 contractors
- Protocols for cash transactions
- Sales tax
- Use tax
- Entertainment tax
- Are your capitalization tables up-to-date and accurate
- Inventory tracking and valuation

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Human Resources

- HIPPA and FERPA compliance
- Hiring and firing protocols
- Non-discrimination policies
- Time-tracking process
- Background checks
- State L&I rules

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