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TRAVEL Q&A

A hotel-theft whodunit

By Laurie Berger

Question: I checked into the Burbank Hilton on May 29. Upon returning to the room later that evening, I noticed that clothes on the chair next to my bed were missing.

I immediately notified security and was later informed that a "reading" of the electronic door lock showed that only a housekeeper had entered the room in my absence.

I followed up the next day with the front desk manager, who referred me to her supervisor. The supervisor said the director of housekeeping would call, but that person never did. I also contacted the general manager's office, which referred me back to security. Eventually the hotel turned my case over to its insurance company, which denied my claim.

It seems clear that whoever is responsible for the theft of my belongings was a hotel employee, yet the hotel refuses to accept responsibility. What else can I do?

David Montoya

Bakersfield

Answer: Montoya took appropriate actions — filing reports with the hotel, the police, the California Department of Insurance and his credit card company. All he got in response was finger-pointing — and some fingers pointed at him.

"It came down to a 'he said, she said' situation," said Jeanne Datz, a spokeswoman for Hilton Hotels Corp., which manages and owns the 488-room Hilton Burbank Airport & Convention Center.

The hotel's investigation did not produce any suspects. The housekeeper who entered Montoya's room was a 10-year employee with a clean record, Datz said. When questioned by security, the

housekeeper denied taking Montoya's belongings, and a review of hidden-camera tapes confirmed that the housekeeper did not leave carrying parcels, the hotel said. The Burbank Police Department's investigation turned up nothing, Sgt. John Murphy said.

"There just didn't appear to be anything of substance to investigate," he said. Four thefts had been reported at the hotel in the past eight months — few for a facility that large, police said.

The hotel's insurance company, Zurich American Insurance, dropped the case, saying that it found no negligence on Hilton's part. Montoya contested the decision in a letter to Zurich and the Department of Insurance. Both requests for help were rebuffed because of lack of evidence. Datz said the Burbank hotel's general manager, Joseph Kruvi, had the authority to compensate Montoya but chose not to. "Since it cannot be proven that the clothes were even there to be taken, he's not inclined to offer anything," Datz said on Kruvi's behalf.

"Most good hotels will accommodate their frequent guests," said Bill Brewer, a partner in the Dallas hospitality law firm of Bickel & Brewer. He once tussled with a hotel over lost clothing and won a settlement by taking the case to court.

Skeptics may ask: Why would someone steal Montoya's worn jeans and shirt, and how could they beat hotel security?

"Just because there's a lock on the door doesn't mean that your safety is guaranteed," said Kevin Coffey, a travel safety consultant. "These kinds of petty thefts happen frequently, usually by a dishonest employee or someone who surreptitiously gains access to the room."

Coffey, who has investigated thousands of crimes against travelers, said thieves disguised as business travelers often "Bogart their way into the room" while the maid is cleaning, pretending they forgot something.

In some cases, hotel security expert John Fannin said, an employee will enter one room, illegally open the door to an adjoining room, steal items from that second room, then leave through the first room.

"When the guest of the robbed room calls to complain, a read of the lock will show that no one entered," said Fannin, president of SafePlace, a company that tests hotel safety.

Guests such as Montoya often have only one other recourse: court. Attorney Brewer said Montoya might win in Small Claims Court, but Montoya is reluctant to spend more time and money pursuing the loss of clothes he valued at \$125.

What can other travelers do to avoid the same fate?

- Leave valuables at home. Treat belongings in your hotel room like checked luggage — something that's always at risk.
- Use the hotel's main safe. If you must travel with precious items, don't rely on in-room safes.

They may be convenient, but they offer no legal protection. Using a hotel's main safe provides some protection, though state laws limit hotels' liability; in California, the maximum is \$1,000.

- Know your rights. Most hotels must post notices in guest rooms and other conspicuous places that clearly explain their responsibility (or lack thereof) in the event of theft and other crimes. Laws vary from state to state. Even if you're short on evidence, you could win on this technicality, said Alan Zingale, a hospitality consultant at PricewaterhouseCoopers.
- File reports. Register your complaint with the hotel, the local police department, even the attorney general's office will establish a record that may prove helpful over time, showing how a business is not properly screening or supervising employees, said Michael Hughes, deputy attorney general for California. He added that some businesses arbitrate disputes with local Better Business Bureaus.
- If you're a member of a frequent-guest program, cite your membership when filing a complaint with the general manager.
- Don't book ground-floor rooms; they're more accessible to outsiders.
- **Don't advertise an empty room by hanging the doorknob sign requesting housekeeping, SafePlace's Fannin said. Instead, tell the front desk you want the room cleaned even though the "do not disturb" sign is out.**

Look for other tips at safeplace.com and corporatetravelsafety.com