

## ***Starting an Equine Boarding Business***

If you have decided to start boarding horses, in addition to your decision on fences and stalls, there are some legal considerations which may be effective in reducing your business' liability. Many of these steps will cost some money initially, but could pay off dramatically in the long run.

**Set up an LLC:** Set up an LLC to lease the premises from you individually. This may provide an additional layer of protection against liability.

**Draft the Lease:** You should have a detailed and signed lease between the LLC and you as the owner of the property prior to the arrival of boarded horses.

**Obtain Sufficient Insurance:** Work with an insurance agent to make sure you have sufficient coverage in the event of an accident.

**Get your Wisconsin Livestock Premises Registration Number:** The registration is free and good for three years. You can register online at <http://www.wiid.org/livestock-premises-registration> or by call 1-888-808-1910 for an application. Please see the article on Wisconsin Livestock Premises Registration Questions and Answers for additional information.

**Have a Boarding Agreement Drafted:** Have a boarding agreement which covers both liability concerns and your specific concerns and requirements drafted. Consider monetary issues such as what you will do if the boarder pays late, gets behind on board, or abandons the horse. Among other things, the boarding agreement should also address barn rules, what vaccinations or medical care is required, what is included in the boarding fee and any fees for additional services such as changing wraps, dressing wounds or blanketing. Although forms are available, they are generally not state specific and certainly not tailored to your specific needs.

**Have a Liability Waiver Drafted:** You should have a Liability Waiver which is separate from your boarding agreement. This is a requirement of many insurance companies for a boarding business. The Supreme Court of Wisconsin has determined that Wisconsin has some specific requirements in order for a waiver to be effective, additionally; the document should contain Wisconsin's equine limited liability statute language.

**Require that All Boarders and Guests Sign the Liability Waiver:** Prior to entering the barn, working with the horses, etc., all boarders and guests should sign a liability waiver. If the boarder or guest is under 18 years of age, both parents should sign the waiver prior to the child being near the horses.

**Have Contracts with all Trainers:** Have an agreement with any trainer giving lessons or training at your barn which indemnifies you for accidents during their lessons or training sessions and states that the trainer is not an employee of the barn.

Attorney Jennifer Hayden of Storm, Balgeman, Miller & Klippel, S.C., has experience in setting up equine boarding businesses and has worked with such clients throughout Wisconsin. In assisting equine businesses, she is able to draw both from her legal experience and from her fifteen years of horse ownership. If you have any questions or would like to speak with Attorney Hayden about your equine business, she can be reached at 414-453-8500.