

Guidelines for Private Property Owners

Film production in Washington State is increasing annually with producers from both in-state and out-of-state taking advantage of the unique and beautiful locations Washington offers for feature films, TV programs, commercial projects and still shoots.

For the private property owner, use of your home or business in filming can be an exciting and possibly profitable opportunity when the scope of the project and the process involved is clearly understood. Determining appropriate contacts, establishing clear communications from the beginning and identifying specific requirements and restrictions are critical for the success of the project.

The following guidelines are intended to give you an understanding of location filming and to emphasize that the request is in fact a business proposal. As each project has specific considerations, all questions or needs cannot be addressed. This should however provide a basic foundation on which to establish an agreement between you and the film company that will allow for a successful and pleasurable experience for everyone.

With each film project unforeseen circumstances can result which may require more time, need for additional space, additional personnel, etc. This is the norm in filmmaking, not the unusual. Consider making the contingency plans, and discuss options or fees with the film company.

Location Use Guidelines:

1. Initial contact is generally made by a location scout or location manager. This person is often hired locally by the film company, but may also be from out of state. His/Her credentials can generally be confirmed through Washington Filmworks.
2. Determine nature of the project and how your location will be used. Will there be smoke, fire, gunshots or any other effects? **(You can ask to read the segment of the script where your property would be used or ask to read the entire script.)**
3. Arrange for a walk-through to determine exact interiors and exteriors desired for filming; where equipment and vehicles will need to be positioned or parked; any "off-limits" areas as determined by owner; and any areas such as roof, trees, fences, windows, which may need to be used or altered during filming.
4. You should have a location agreement, in writing, before any filming or prepping takes place. This agreement should show the address of the property as the location. Be specific in describing the location. Are they going to use all or part of it: Exteriors only? Interior room(s)?

5. Be very specific on dates and times that your property may be used. It is common for a production company to have this be subject to change as their schedule can be unpredictable at times. However, that new date should be mutually agreeable.

6. You may want to consider some of the following points.
 - A. Determine the exact times/days that prepping, filming, and striking will take place. Again, the production company may need to change this later on.
 - B. Determine all other areas of the property not specified that are not to be used.
 - C. Determine food, drink, and smoking areas that are permitted in any building interiors.
 - D. Determine where floor coverings are to be used to prevent unnecessary tracking of dirt, especially during inclement weather.
 - E. Determine where electrical cables shall enter buildings.
 - F. If furniture and household items are to be removed from the location, they shall be listed, values established and damages noted. These are to be securely stored and isolated from other equipment or props.
 - G. Determine where on the property parking is permitted.
 - H. Determine use of the washroom, kitchen facilities and any utilities.
 - I. Determine whether or not any alterations to the existing location will be made.
 - J. Establish that structural joists will support required film equipment.
 - K. If it is necessary, determine how you will be accommodated during filming.
 - L. Determine clean-up requirements and who is responsible; when it is to be completed; and who will make the final "walk-through" for owner approval.

7. Location fees are negotiable. Owner should feel comfortable with amount agreed upon, and terms of payment should be made prior to any filming. Be specific as to how much and for what type of activity. Example: \$_____/prep day; \$_____/shooting day.

8. Owner may request a damage deposit.
9. The production company's location agreement letter will probably indemnify the property owner. If it does not, you may want to add the following statement:

The applicant (film company) agrees to indemnify owner and to be solely and absolutely liable upon any and all claims, fees, fines, penalties, suits and judgments against the owner and/or the applicant for personal injuries and property damages arising out of or occurring during the activities of the applicant, his/her employees or otherwise. This agreement may be revoked at any time.

This contract should be signed by a principal or agent of the production company. Location contracts of a particularly detailed, complicated, or sensitive nature may require legal assistance. Owner may request reimbursement of legal fees from film company.

10. Owner may request a copy of the production company's certificate of insurance. Production companies typically carry insurance policies that cover third-party rentals for property damage and liability.
11. Determine with location manager how neighbors will be informed and included in filming process.
12. Enjoy the production! You may even see a few stars.

Points to remember when working with filmmakers:

1. Ask how many days and what hours the company will be in your town/building/site, etc.
2. Find out what is being filmed.
3. Will there be an advance group coming in to prepare the site for the film crew?
4. How many people can you expect to be involved with the production?
5. Is an assembly or staging area required for equipment or personnel?
6. Where will the production vehicles park?
7. Will an external power source be used for lighting, or will access be required to an internal source?

8. How much additional security, police or other personnel will be required?
9. Will there be alterations to the property?
10. How soon will things be restored if need be? It is a good idea to do a walk through **before** filming and take photos of how property looks before changes are made.
11. Make sure the film company returns the property to its original condition.
12. Will any areas be closed off to the public?
13. Where will the cast and crew be fed their meals?
14. What is the best point of access for the filmmakers and their equipment?
15. It is always easier if there is only one contact person at the location and with the company.
16. Regarding insurance: get proof by getting a copy of the certificate of insurance, third party property damage, personal injury/liability, hold harmless agreement (will insure against any and all liability claims) and comprehensive general liability.
17. Location agreement: you can put riders on the contract. Be prepared that it may take additional approval time. The agreement allows for a company to come back if necessary at a mutually agreeable time.
18. Let the company know of any restrictions at the initial meeting.
19. Once a production has decided to use your property, be sure to ask what information you can disclose publicly.
20. Try to be flexible with the production companies and realize that schedule changes are not uncommon.
21. Stay in contact with Washington Filmworks should any questions or problems arise.