

# Cancellation Policy for Yacht Renting (Yacht Adventure)

Last Updated: November 5, 2018

These terms and conditions govern the ItsCoastal Yacht Charter or Rental (Yacht Adventure) Cancellation Policy (the "Cancellation Policy") provided to Guests, Owners and Agents through the Services. Each party has the ability to cancel reservation at any time. The amount of fee and schedule will be determined when the cancellation occurs in relationship to the reservation dates.

## **Moderate:**

- Any reservation can be canceled 21 days or more prior to the Yacht Adventure start time in local time (LST) for a full refund of yacht charter fees. Whichever party (Guest or Host) cancels yacht charter is responsible for ItsCoastal 3% processing fee.
- The ItsCoastal Transaction (3%) Fees are non-refundable, and will not be refunded at any time.

## **Strict:**

- Reservation cancelled within seven (5) days before the start of a Yacht Adventure in local time (LST) are non-refundable unless negotiated and agreed on directly with an Agent/ Yacht owner.
- The ItsCoastal Transaction (3%) Fees are non-refundable, and will not be refunded at any time.

## **Extenuating Circumstances**

ItsCoastal will consider certain exceptions for the . For the following extenuating circumstances, the Guest will receive a 100% refund and the Agent / Yacht Owner will not receive payment.

Either party can cancel reservation by contacting ItsCoastal Support Center at [Support@itscoastal.com](mailto:Support@itscoastal.com) and provide documentation to support the cancellation. Some examples of acceptable extenuating circumstances

- A booking is within 150 miles of a named or numbered storm.
- Safety related cancellations stemming from the event of lightning, thunderstorms, heavy rain, or heavy wind within eight (5) hours of the time the of the scheduled Yacht Adventure.
- Death in the family

- Natural disaster
- Political Unrest
- Owner/ Agent cancellation, no-show, or no access to the boat. In this case, the yacht Owner/ Agent may be subject to penalties.
- A problem arises during Yacht Adventure that causes the Guest to end the Yacht Adventure, and is determined to be due to negligence of the Owner/ Agent. In this case, the yacht Owner/ Agent may be subject to penalties.
- If the description of the Yacht in the listing on the Site is materially inaccurate with respect to:
  - the size of the Yacht (e.g., number and size of the seating capacity, make, or model)
  - if another party, including the Owner, is using the Yacht during the reservation
  - special features represented in the listing description are not provided or do not function, such as engines, water, lights, bathrooms (toilet/shower/bathtub), kitchen (sink/stove/refrigerator or major other appliances), and electrical, heating or air condition systems
  - the physical location of the Yacht (proximity)

### **Minimum Quality Standards & Owner/ Agent Responsibilities**

If you are an Agent or Owner, you are responsible for ensuring that the Yacht (s) you list on the Services meet minimum quality standards regarding access, adequacy of the description on the Services, safety, cleanliness, and do not present a Guest with travel issues. During the 24-hour period following the Guest's check-in, Owners/ Agents should be available, or make a third-party available, in order to try, in good faith, to resolve Guest issues.

### **Boat Owner/Agent Penalties**

We reserve the right to penalize Owners/ Agents that cancel reservations or don't meet minimum quality standards with the following penalties:

- Black out the dates of canceled reservations;
- Apply fees equal to the ItsCoastal Service Fees if there are more than one cancellation within a 3 month period;
- Lower the ranking of the yacht listing in search results;
- Lower the trust rating for the Owner/Agent of the Yacht;
- Restrict the Owner/ Agent from conducting business on ItsCoastal platform.

### **General Provisions**

#### **Modification or Termination**

ItsCoastal reserves the right to modify or terminate this Cancellation Policy, at any time, in its sole discretion, and without prior notice.

## **Entire Agreement and Definitions**

This Cancellation Policy constitutes the entire and exclusive understanding and agreement between ItsCoastal and you regarding the Cancellation Policy and supersedes and replaces any and all prior oral or written understandings or agreements between ItsCoastal and you regarding the Cancellation Policy.

## **Controlling Law**

This Cancellation Policy will be interpreted in accordance with the laws of the State of California and the United States of America, without regard to its conflict-of-law provisions.

## **Limitation of Liability**

IN NO EVENT WILL ITSCOASTAL'S AGGREGATE LIABILITY ARISING OUT OF OR IN CONNECTION WITH THIS ITSCOASTAL POLICY TERMS, EXCEED THE AMOUNT OF THE YACHT ADVENTURE FEES COLLECTED BY ITSCOASTAL FROM THE Guest. SOME JURISDICTIONS DO NOT ALLOW THE EXCLUSION OR LIMITATION OF LIABILITY FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES, SO THE ABOVE LIMITATION MAY NOT APPLY TO YOU.

YOU ACKNOWLEDGE AND AGREE THAT, BY POSTING A LISTING OR BOOKING A BOAT OR OTHERWISE USING THE SERVICES AS AN OWNER/AGENT OR GUEST, YOU ARE INDICATING THAT YOU HAVE READ, AND THAT YOU UNDERSTAND AND AGREE TO BE BOUND BY THESE POLICY TERMS.

## **Contacting ITSCOASTAL**

If you have any questions about the Cancellation Policy, please contact ITSCOASTAL via [Support@itsCoastal.com](mailto:Support@itsCoastal.com)

# **Cancellation Policy for Short-Term (28 days or less) Home Rentals**

Last Updated: November 5, 2018

## **Relaxed : Full refund within limited period**

- For a full refund of accommodation fees, cancellation must be made a full 24 hours prior to listing's local check in time (or 2:00 PM if not specified) on the day of check in.
- If the Guest cancels less than 24 hours prior to arrival, the first night is non-refundable.
- If the Guest arrives and decides to leave early, the accommodation fees for the nights not spent 24 hours after the official cancellation are fully refundable.

- The ItsCoastal 3% processing fee is not refundable if cancelled by Guest.
- If the Host cancels at any time full refund is provided.
- If there is a complaint from either Guest or Host, notice must be given to ItsCoastal within 24 hours of check-in.
- ItsCoastal will mediate when necessary, and has the right to make a final decision in all disputes.
- A reservation is officially canceled when the Guest clicks the cancellation button on the cancellation confirmation page, which they can find in My Profile > Activity > Cancellation.
- Cancellation policies may be superseded by the Guest Refund Policy, extenuating circumstances, or cancellations by ItsCoastal for any other reason permitted under the Terms of Service. Please review these exceptions.

## Moderate: Full refund within limited period

- For a full refund of accommodation fees, cancellation must be made 5 full days prior to listing's local check in time (or 2:00 PM if not specified) on the day of check in.
- If the Guest cancels less than 5 days prior to check-in, the first night is non-refundable but 50% of the accommodation fees for remaining nights will be refunded.
- If the Guest arrives and decides to leave early, 50% of the accommodation fees for the nights not spent 24 hours after the cancellation occurs are refundable.
- The ItsCoastal 3% processing fee is not refundable.
- If the Host cancels at any time full refund is provided.
- If there is a complaint from either Guest or Host, notice must be given to ItsCoastal within 24 hours of check-in.
- ItsCoastal will mediate when necessary, and has the right to make a final decision in all disputes.
- A reservation is officially canceled when the Guest clicks the cancellation button on the cancellation confirmation page, which they can find in My Profile > Activity > Cancellation.
- Cancellation policies may be superseded by the Guest Refund Policy, extenuating circumstances, or cancellations by ItsCoastal for any other reason permitted under the Terms of Service. Please review these exceptions.

## Strict : Full refund if cancellation is within 48 hours of booking

- For a 50% refund of accommodation fees, cancellation must be made within 48 hours of booking and at least 5 full days prior to listing's local check-in time (or 2:00 PM if not

specified) on the day of check-in. No refund will be provided if Guest cancelled more than 48 hours after booking.

- If the Guest cancels less than 5 days in advance, the accommodation fees are not refundable.
- If the Guest arrives and decides to leave early, the nights not spent are not refundable.
- The ItsCoastal 3% processing fee is not refundable.
- If the Host cancels at any time full refund is provided.
- If there is a complaint from either Guest or Host, notice must be given to ItsCoastal within 24 hours of check-in.
- ItsCoastal will mediate when necessary, and has the right to make a final decision in all disputes.
- A reservation is officially canceled when the Guest clicks the cancellation button on the cancellation confirmation page, which they can find in My Profile > Activity > Cancellation.
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## Cancellation Policy for Long-Term (29 days or more) Home Rentals

Last Updated: November 5, 2018

### Long Term: First month not refundable, 15 day notice for cancellation

- If the Guest books a long term reservation and decides to cancel the reservation less than 15 days before the check-in date, the first month of the reservation is paid to the Host in full and not refundable to the Guest.
- If the Guest books a long term reservation and decides to cancel the reservation 15 days or more before the check-in date, 50% of the accommodation fees for the first month will be refunded.
- If there is a complaint from either Guest or Host, notice must be given to ItsCoastal within 24 hours of check-in.
- ItsCoastal will mediate when necessary, and has the right to make a final decision in all disputes.

- A reservation is officially canceled when the Guest clicks the cancellation button on the cancellation confirmation page, which they can find in My Profile > Activity > Cancellation.
- Cancellation policies may be superseded by the Guest Refund Policy, extenuating circumstances, or cancellations by ItsCoastal for any other reason permitted under the Terms of Service. Please review these exceptions.

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### **Limitation of Liability**

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YOU ACKNOWLEDGE AND AGREE THAT, BY POSTING A LISTING OR BOOKING AN ACCOMMODATION OR OTHERWISE USING THE SERVICES AS A HOST OR GUEST, YOU ARE INDICATING THAT YOU HAVE READ, AND THAT YOU UNDERSTAND AND AGREE TO BE BOUND BY THESE POLICY TERMS.

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# Cancellation Policy for Adventures (Yacht Adventures are excluded)

Last Updated: November 5, 2018

## Relaxed : Full refund within limited period

- For a full refund of Adventure fees, cancellation must be made a full 24 hours prior to Adventure's local start time on the day of Adventure's start.
- If the Guest cancels less than 24 hours prior to start of Adventure, 50% of the Adventure fees will be refunded.
- If the Guest arrives and decides to leave early, the Adventure fees are non-refundable.
- The ItsCoastal 3% processing fee is not refundable.
- If the Host cancels at any time the full refund will be provided.
- If there is a complaint from either Guest or Host, notice must be given to ItsCoastal within 24 hours of start.
- ItsCoastal will mediate when necessary, and has the right to make a final decision in all disputes.
- A reservation is officially canceled when the Guest clicks the cancellation button on the cancellation confirmation page, which they can find in My Profile > Activity > Cancellation.
- Cancellation policies may be superseded by the Guest Refund Policy, extenuating circumstances, or cancellations by ItsCoastal for any other reason permitted under the Terms of Service. Please review these exceptions.

## Moderate: Full refund within limited period

- For a full refund of Adventure fees, cancellation must be made 7 full days prior to Adventure's local start time on the day of Adventure's start.
- If the Guest cancels less than 7 days prior to start, 50% of the Adventure fees will be refunded.
- If the Guest arrives and decides to leave early, Adventure fees are non-refundable.
- The ItsCoastal 3% processing fee is not refundable.
- If the Host cancels at any time the full refund will be provided.
- If there is a complaint from either Guest or Host, notice must be given to ItsCoastal within 24 hours of check-in.
- ItsCoastal will mediate when necessary, and has the right to make a final decision in all disputes.

- A reservation is officially canceled when the Guest clicks the cancellation button on the cancellation confirmation page, which they can find in My Profile > Activity > Cancellation.
- Cancellation policies may be superseded by the Guest Refund Policy, extenuating circumstances, or cancellations by ItsCoastal for any other reason permitted under the Terms of Service. Please review these exceptions.

## Strict : Full refund if cancellation is within 24 hours of booking

- For a full refund of Adventure fees, cancellation must be made within 24 hours of booking and at least 5 full days prior to Adventure's local start time on the day of start. No refund will be provided if Guest cancelled more than 24 hours after booking.
- If the Guest cancels less than 5 full days prior to Adventure's local start time on the day of start, Adventure fees are not refundable.
- If the Guest arrives and decides to leave early, Adventure fees are non-refundable.
- The ItsCoastal 3% processing fee is not refundable.
- If the Host cancels at any time the full refund will be provided.
- If there is a complaint from either Guest or Host, notice must be given to ItsCoastal within 24 hours of check-in.
- ItsCoastal will mediate when necessary, and has the right to make a final decision in all disputes.
- A reservation is officially canceled when the Guest clicks the cancellation button on the cancellation confirmation page, which they can find in My Profile > Activity > Cancellation.
- Cancellation policies may be superseded by the Guest Refund Policy, extenuating circumstances, or cancellations by ItsCoastal for any other reason permitted under the Terms of Service. Please review these exceptions.