

Effective October 1st, 2016

Terms for the Licensing of Motion Pictures in Senior Communities and Health Care Facilities

1. **MPLC:** The Motion Picture Licensing Corporation (“MPLC”) is an independent copyright licensing agency that provides an annual license, called an Umbrella License[®]. The public performance of copyrighted motion pictures and other audiovisual programs that are legally available for personal, private use, such as DVDs or other digital formats, whether streamed or downloaded (hereinafter referred to as “Videos”) or via closed circuit transmission requires a public performance license under federal law. The MPLC provides the required license on behalf of over 1,000 Hollywood, independent, faith-based, television, special interest, and international motion picture studios and producers to ensure a comprehensive copyright compliance solution.
2. **Associations:** LeadingAge, American Health Care Association/National Center for Assisted Living (AHCA/NCAL), National Association of Activity Professionals (NAAP), American Seniors Housing Association (ASHA), and Argentum each have entered into an Agreement with the MPLC to offer discounted Umbrella License coverage to their membership.
3. **Closed Circuit Transmission Pricing:** Any senior community or health care facility, regardless of its type or license status, which has a closed circuit television system (such as an in-house channel) playing Videos shall obtain an Umbrella License at the annual rate of \$13 per connection. Any other non-closed circuit performances (i.e. via Videos) shall be included at no additional cost.
4. **Video “Common Area” Pricing (excluding Closed Circuit Transmission performances in Term 3):** Any senior community or health care facility, regardless of its type or license status, which conducts Video performances in common areas shall obtain an Umbrella License at the annual rates below. (For clarity, a license is required for Videos shown in common areas, including Videos rented, borrowed, or purchased by residents being shown to other residents.)
 - 4.1 Facilities that have independent living units, apartments, or other similarly defined living quarters, whether freestanding or located in a nursing facility, rehabilitation facility, assisted living facility, continuing care retirement community, or any other type of senior living facility, regardless of how each state defines the facility (“ILU”) shall be subject to the following annual rates, based on the licensed ILU capacity for each facility:
 - A. \$6.50 per ILU for the first 325 ILUs.
 - B. \$3.00 per ILU from 326 to 500 ILUs.
 - C. \$1.00 per ILU in excess of 500 ILUs.
 - D. \$335 is the minimum annual license fee for each facility.
 - 4.2 Facilities defined as low income senior housing that have a US Department of Housing and Urban Development (“HUD”) contract shall pay a reduced license fee. The facility shall provide the MPLC with (i) the project number and (ii) the number of HUD units. The facility shall be subject to the following annual rates, based on the licensed HUD capacity for each facility:
 - A. \$3.25 per HUD unit for the first 500 units.
 - B. \$1.00 per HUD unit in excess of 500 units.
 - C. \$335 is the minimum annual license fee for each facility.

4.3 Facilities that are freestanding nursing, rehabilitation or assisted living; or have such sleeping units/sleeping rooms within a continuing care retirement community, or any other type of senior living or health care facility (excluding ILU and HUD units, see 4.1 and 4.2 for pricing) shall be subject to the following annual rates based on licensed capacity for each facility:

- A. \$3.25 per sleeping unit/sleeping room for the first 500 sleeping units/sleeping rooms.
- B. \$1.00 per sleeping unit/sleeping room in excess of 500 sleeping units/sleeping rooms.
- C. There is no minimum annual license fee for freestanding nursing, rehabilitation, or assisted living facilities. For clarity, such defined sleeping units/sleeping rooms on shared campuses within a continuing care retirement community, or any other type of senior living or health care facility shall pay a minimum fee, based upon their classification.

5. Discounts: Members of the associations shall receive a 10% discount on all of the above stated annual rates. Additional discounts may be available, based on the number of licensed facilities.

There is a limited time offer until December 31, 2016 only for member facilities as defined in Term 4.3. For clarity, members shall be eligible to receive an annual discount of approximately 40% off the \$3.25 rate to only \$2.00 per sleeping unit/sleeping room for any nursing, rehabilitation or assisted living facility; or sleeping units/sleeping rooms within a continuing care retirement community, or within any other type of senior living or health care facility.

Members of the associations that are current MPLC licensees, shall receive the limited time offer to add Term 4.3 defined facilities upon renewal of their agreement.

Given the long-standing partnership between the parties, the discount structure provides the lowest possible cost to senior communities and health care facilities.

6. Renewal Rate: The base license rates above shall not increase, with the exception of a CPI increase (CPI-W third quarter to third quarter average), for a five year term from the start of this agreement.
7. Adult Day Service Centers: If any association member operates a freestanding adult day service center, there is a separate annual license fee of \$205 per center. If any association member that operates an adult day service center within its senior community or health care facility, and obtains a license for their facility, there is a separate annual license fee of \$100 per center.
8. Questions: Please contact the MPLC directly at www.mplc.org or 800-462-8855 for more information on how to obtain an Umbrella License. You may also contact LeadingAge, AHCA/NCAL, NAAP, ASHA or Argentum for more information.