



BEST PRACTICES FOR MANAGING CORONAVIRUS (COVID-19)

March 23, 2020

The ongoing Coronavirus (COVID-19) pandemic presents unique challenges for common property regimes like homeowners' associations and condominium associations. Public health concerns may require associations to temporarily change their operations, from remote meetings to budgetary revisions to enforcement relaxation. Billings Law Firm, PLLC recommends associations consider and enact the following best practices, where feasible and appropriate.

1. Common areas and amenities should be closed to the extent possible. For associations with hallways, lobbies, elevators, and similar features, the association should take extra steps to sanitize all surfaces—particularly doorknobs and buttons—with CDC-approved sanitizers. For more information: <https://www.cdc.gov/coronavirus/2019-ncov/prepare/cleaning-disinfection.html#disinfect>.
2. Prohibit gatherings in common areas—including outdoor common areas—or limit the number of people that may simultaneously use the areas.
3. Encourage your members to strictly limit nonessential visitors. For example, contractors and vendors should be limited to those required to make repairs to critical components such as plumbing, electric, or HVAC operation.
4. Stop all collection activity for at least thirty (30) days, then reassess in light of developments during that time. The economic impacts of COVID-19 are well known. Associations can do their part by being flexible on payment plans/deferments. Many lenders are making similar arrangements.
5. Assess the impact on your budget, revenue, and reserves. The Board may need to revise its budget or financial projections. Further, nonessential elective projects or capital improvements may need to be delayed until this crisis passes. The Board may consider using reserve funds, or setting aside general funds to create a reserve fund.

These are only a few of the issues you may encounter. You can find additional helpful information at the links below:

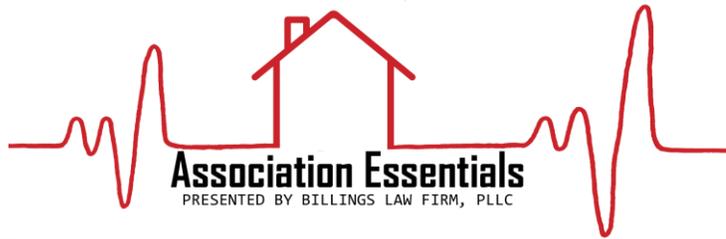
- <https://www.caionline.org/Pages/Coronavirus.aspx>
- <https://govstatus.egov.com/kycovid19>

As a courtesy, you will find a sample notice letter to your members attached to this notice. You can edit the letter to your specific association as noted by the yellow highlighted sections. A Word version is available upon request.

If you have additional questions about responding to coronavirus or any other association related issue, please contact Billings Law Firm and we will be happy to assist.

We hope you are staying safe and healthy during this challenging time, and look forward to continuing to serve you in the future.

Best,



SAMPLE MEMBER LETTER RE: CORONAVIRUS

Dear [Association Name] Residents,

The board, in consultation with the association manager, attorney, insurance provider, and other business partners, has been planning for contingencies that may arise in the community as a result of the spread of COVID-19. Based on advice that has been circulated by the Centers for Disease Control and Prevention and the [State/County/Municipal] Department of Health, we have detailed some possible scenarios and our current plans to deal with them. These plans are subject to change based on CDC guidance and advice from our professional partners.

Association operations:

Cleaning. The association has been [STATE YOUR ACTIONS, SUCH AS: extensively cleaning, disinfecting, and wiping down surfaces in common areas and amenities]. Owners are responsible for their private property.

Common areas and amenities. The association [has closed/will close] the pool, gym, playgrounds, business center, library, and other common areas and amenities effective [date] until at least [date].

Meetings and events. The CDC has recommended against any gatherings of 50 or more people through the middle of May. That's why we are [postponing/canceling] community events and meetings. It's also why we [are offering/will be offering] residents the option to tune in to board and association meetings remotely. [Insert more details here.] Move-ins and move-outs, open houses, construction work, large deliveries, and maintenance may be curtailed until staffing levels return to normal and the coronavirus pandemic is better controlled.

Social distancing. Many experts also are urging people to practice "social distancing," which is the idea of maintaining a roughly 6-foot distance between other people. It also means limiting nonessential travel, avoiding public transportation when possible, working from home, and skipping social gatherings.

Staffing. The community may experience temporary staff shortages if employees get sick or need to remain at home.

If you get sick:

Medical authorities are strongly urging all persons who exhibit symptoms to stay home and avoid public spaces unless you need medical care. You also should separate yourself from other people and pets in your home. If you need to need to visit a doctor or get tested for COVID-19, develop a plan before you go:

- Call ahead before visiting your doctor.
- Wear a facemask if you are sick.

- Cover your coughs and sneezes.



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- Clean your hands often.
 - Avoid sharing household items, such as utensils, plates, glasses, and towels.
 - Clean all “high-touch” surfaces, such as counters, tables, doorknobs, bathroom fixtures, phones, keyboards, and remotes.

If appropriate, the association may notify residents that an individual in the community has contracted the virus.

The association will be prepared to reasonably accommodate an owner who is sick by postponing violation hearings, extending deadlines on architectural applications, or granting payment extensions if appropriate.

This association will not and does not make any of the decisions mentioned above lightly. These actions are being taken to ensure the health and welfare of the residents of this community. We pledge to keep residents informed of all relevant developments and how they affect association operations.

It is also incumbent upon residents to take this situation seriously and do their part to minimize the spread of this deadly disease. The association highly encourages you to review safety guidelines and look for updates from the CDC, the local health department, and the World Health Organization.

Thank you for your cooperation and understanding. Stay safe and healthy.

Sincerely,

The [Association Name] Board

This information is subject to change. It is published with the understanding that [Association Name] is not providing legal, accounting, medical, or other professional services or advice. If legal advice or other expert assistance is required, the services of a competent professional should be sought.