LIFTING STAY-AT-HOME ORDERS FREQUENTLY ASKED QUESTIONS

Q: How should community associations prepare for the lifting of state stay-at-home orders?

A: Associations need to evaluate three questions: 1. Can we open? 2. Should we open? 3. What is it going to look like when associations begin openings certain common areas? Are there rules and regulations that need to be developed when reopening certain areas? It is important to look at your state and local orders for guidelines to follow when reopening.

Q: If your state and local government have different standards and requirements for reopening facilities, which order should be followed?

A: It is ideal to follow the most restrictive order, so all requirements within each order are met.

Q: What contracts should be reviewed when choosing to reopen certain facilities?

A: It is important for associations to review any current contracts with their attorney when creating a reopening plan.

Q: Is an association required to reopen certain common areas or amenities once their state’s stay-at-home order is lifted?

A: No, an association should look at their communities’ specific circumstances when determining what common areas and amenities should reopen. This determination will vary between each type of amenity. A park may be safer to open than a gym initially when reviewing health department guidelines. It is important to review the reopening of each common area and amenity with your credentialed professionals—community managers, attorneys, and insurance agents.

Q: What should a community association management company or business partner consider when reopening their offices?

A: It is important to follow the Centers for Disease Control and Prevention guidelines when reopening offices. Installing additional wash stations within the office may be considered, as well as requiring staff to wear masks in the office.

Q: How should board meetings proceed once stay-at-home orders are lifted?

A: Board procedures vary by state laws. Online meetings may be able to continue if the CDC’s health and safety guidelines cannot be met by an in-person meeting.

Q: How should an association proceed with annual meetings when a stay-at-home order is lifted?
A: State laws and state orders should still be consulted when determining if an annual meeting should be held and if it should be held in person.

**Q: What is the board’s role when a group of residents wants to open common areas and another group of residents wants to keep it closed?**

A: It is important to consider the input of all residents. The board and community manager should consider taking a poll of all association resident’s thoughts on reopening specific common areas. Boards and managers should consult with each other to make their final decision.

**Q: How often should an association communicate reopening updates with their residents?**

A: It is important to communicate with residents daily or weekly depending on the size of your association and the number of common areas reopening with updated procedures. All communications need to be date-stamped with a tentative time frame for applicability. A disclaimer stating the communication may be is also recommended.

**Q: Should board members implement and enforce new regulations?**

A: No. An association’s trained professionals, including your community manager, should handle implementing and enforcing new regulations.

**Q: How should association fitness centers be reopened when the stay-at-home order allow?**

A: It is important to follow CDC health and safety guidelines when reopening fitness centers. The board and manager should determine if a staff member needs to be on site to make sure the fitness center is being cleaned. It is important to consider the cost of new procedures like cleanings when reopening facilities.

**Q: Can an association take the temperature of guests entering their community?**

A: An association should consult with their attorney because this is extremely situational. It is important any procedure a community puts into place is reasonable. It is likely not reasonable to require homeowners to have their temperature checked, but it may be reasonable to check the temperature of guests and service workers. It is important to consider how a procedure a community puts into place will be staffed.

**Industry Experts on COVID-19 Lifting Stay-at-Home Orders**

- Jim Slaughter, Esq., CCAL, Black, Slaughter & Black, PA, in N.C.
- Kelly Zibell, AMS, PCAM, Associa Northern California Stockton, in San Francisco, Calif.

**RESOURCES**

Now is a good time to remind community association residents, board leaders, and managers of their Rights & Responsibilities for Better Communities and the Community Association Civility Pledge.

To view the latest COVID-19 resources and guidance, visit [www.caionline.org/coronavirus](http://www.caionline.org/coronavirus).