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# Pandemium!

## Condominiums and the Coronavirus Pandemic

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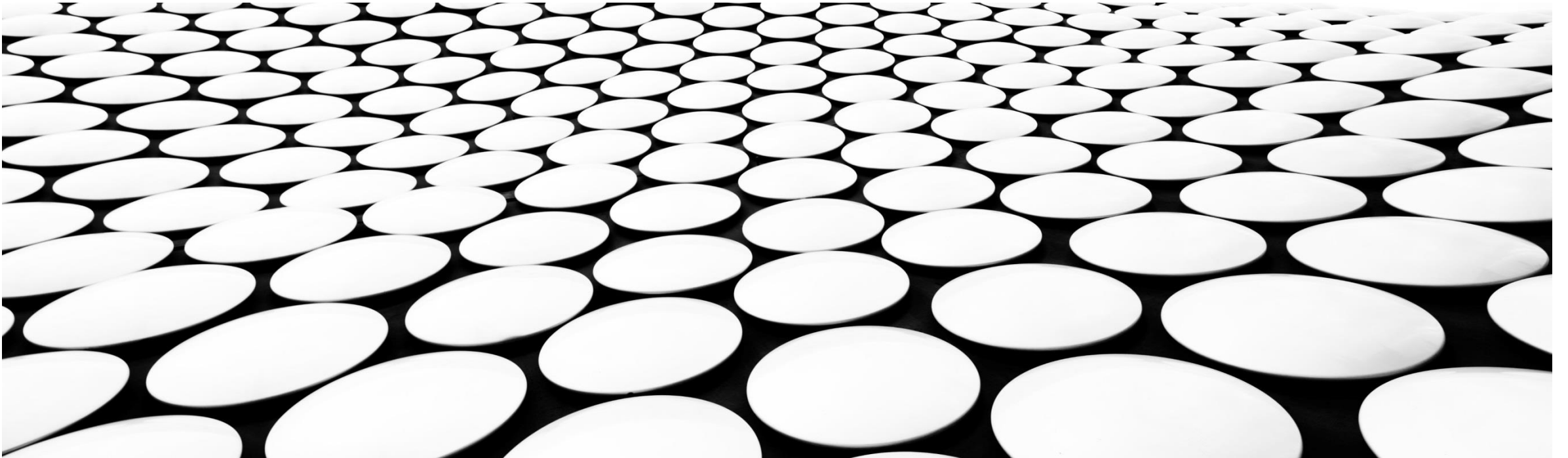
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# PANDEMINIUM! CONDOMINIUMS AND THE CORONAVIRUS PANDEMIC.

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**LEGAL-ED ALLCOCK**

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- Condominium Boards Have a Duty to Duty To Maintain the Common Elements, G.L. c. 183A §5(e).
- Clean and/or disinfect? There is a difference in protocols. Hire a professional and follow CDC!
- Potential liability risks are low proof/proximate cause will be an issue---how did they get the virus
- However, if the condominium has a cluster and Board takes no action, maybe liability increases. Extra care in Aging Communities, e.g. over 55.

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- Is duty heightened by knowledge of confirmed or presumptive cases? Depends does Board take extra precautions?
- Does board advise residents---give residents opportunity to make their own life/safety decisions?
- Should Boards encourage self reporting and dissemination?
- Privacy protections for infected owners, another possible liability risk, as G.L. c. 214 § 1(b) protects unreasonable interference with privacy. Balancing Act vs. right to know in a pandemic.

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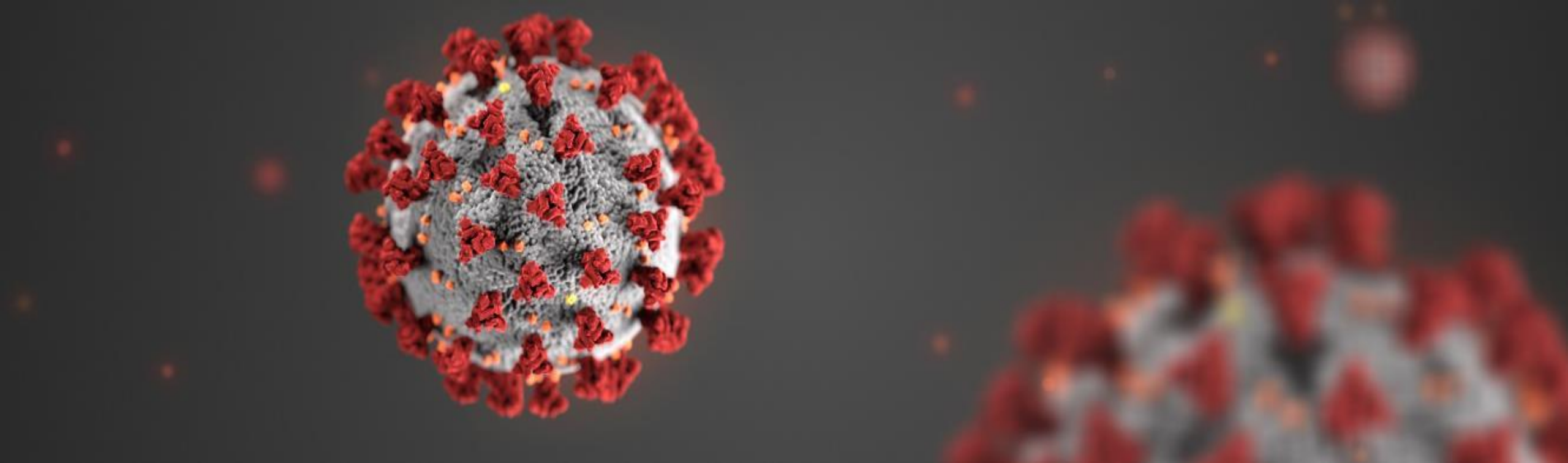
- Balancing Act II-Closure of common areas, meeting areas, pools, saunas, fitness areas.
- Balancing Act III-Postponement of Annual Meetings or electronic format---phone or video.
- Board that takes action in a pandemic better the Board that sits on the sidelines?
- Possible individual liability—Federal Volunteer Protection Act of 1997---protects board members of non-profits except for gross negligence or willful misconduct.

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- Can we forgive/defer or postpone assessments. Not a good idea. Bills need to be paid and if one does not pay then everyone else assumes that person's share. Also deferred payment can impact collection protocol. Let the lawyers work on payment plans in the collection process.
- Insurance. Can cost of disinfectant be an insurable loss. Under most policies requires there to be "property damage" in order for there to be a covered loss. First need to look at exclusions, are there specific exclusions for viruses. Viruses are not bacteria--so in my opinion bacterial/mold/fungus exclusion does not apply. Virus is not the typical idea of "property damage". Cases across country have held that carbon monoxide and ammonia



Best Practices Working With Disaster Restoration Professionals  
Disinfecting Your Community From COVID-19

# When to call for help

- You are concerned you could have an outbreak.
- Someone in your community was exposed to someone who tested positive but are showing no symptoms.
- Someone in your community has a confirmed case of COVID-19.



# You are concerned you could have an outbreak

You would like your building disinfected to compliment your existing cleaning protocols on a one time or re-occurring basis.

You would like to promote a sense of *peace of mind* for your residents.

You would like to demonstrate to your community that you are going above and beyond your routine cleaning procedures.

Someone in your community was exposed to someone who tested positive.

- Call to schedule disinfecting of common areas and anywhere the resident/employee could have travelled within the community.

# Someone in your community has a confirmed case of Coronavirus

- Follow CDC recommendations – If you are sick:  
<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>
- Schedule disinfection of common areas and anywhere the resident/employee may have travelled within the community.

# What to ask your service provider

- **Response Time**
- **PPE**
- **How are you protecting your staff from contracting COVID-10**
- **Products/SDS**
- **Invoicing**
- **Informational Resources**

# What to tell your service provider

- Why you are calling for help/What is your exposure risk?
- When do you need service?
- Daytime or after hours?
- PPE alarm? Do you need later or overnight service?

# What your service provider will ask you

- Pre-screening questions - Is anyone on site **exhibiting symptoms**, have they **traveled to a high-risk area**, or have they **been diagnosed with COVID-19**.
- You may be required to give a deposit/service minimum

# What you should see when crews arrive- PPE

- Full body protective suite
  - Head to toe coverage
  - Liquid resistant
- Medical grade disposable gloves
- Chemically resistant (nitrile) gloves
- Respiratory protection
  - Fit testing and training required
  - Full or Half face preferred
- Eye protection
  - Goggles



# Terms

## What are *high touch* areas?

Common gathering areas (e.g., door handles, light switches, stair rails, elevator buttons, phones, microwaves, coffee stations, sink handles, water fountains, chair arms, shared workstations or learning materials, dining tables).

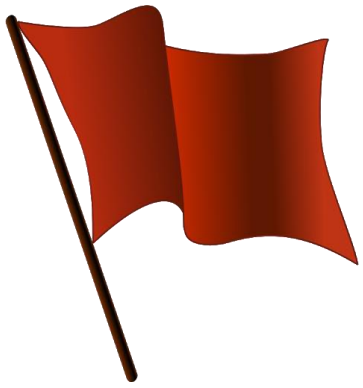
## What is the difference between cleaning & disinfecting?

**Cleaning** refers to the removal of germs, dirt, and impurities from surfaces. Cleaning does not kill germs, but by removing them, it lowers their numbers and the risk of spreading infection.

**Disinfecting** refers to using chemicals to kill germs on surfaces.







## What to Avoid - Red Flags!

### **Providers can not claim their products are EPA registered effective against COVID-19**

- They meet the Emerging Pathogen Standard as likely effective against COVID-19.
- They meet that standard because they are effective against previous Coronavirus strains.
- The list of disinfectants is constantly being updated by the EPA

### **New information from the CDC continues to come out and any disinfecting can provide a temporary reduction in possibility of object to person contact.**

- This is an emerging pathogen and CDC, WHO and other bodies have yet to determine length of time COVID-19 could be viable after being introduced on an object or surface.
  - New information could come out at a later date that would change the current protocols or even products used.
  - There is not a clearance test that can be performed to guarantee removal.
  - An infected person entering the environment 10 minutes after disinfection could reintroduce the virus.
-

# Resources



## High Touch Cleaning Checklist

High touch items are among the most pathogen heavy surfaces in your facility. Routine cleaning and disinfecting of these items along with frequent hand washing are critical to breaking the chain of infection and creating clean, safe, and healthy environments.



- |   |   |
|---|---|
| <input type="checkbox"/> CHAIR HANDLES & BACKS    | <input type="checkbox"/> PHONES                       |
| <input type="checkbox"/> COFFEE MACHINES & POTS   | <input type="checkbox"/> PODIUMS                      |
| <input type="checkbox"/> COUNTER TOPS             | <input type="checkbox"/> PRINTER/FAX MACHINES         |
| <input type="checkbox"/> DESKTOPS                 | <input type="checkbox"/> REFRIGERATOR HANDLES & DOORS |
| <input type="checkbox"/> DOOR GLASS               | <input type="checkbox"/> SINK FAUCETS & HANDLES       |
| <input type="checkbox"/> DOOR HANDLES & EDGES     | <input type="checkbox"/> STAIR RAILS                  |
| <input type="checkbox"/> ELEVATOR BUTTONS & DOORS | <input type="checkbox"/> STAPLERS & STAPLE REMOVERS   |
| <input type="checkbox"/> EMPLOYEE CELL PHONES     | <input type="checkbox"/> TABLETOPS                    |
| <input type="checkbox"/> KIOSK BUTTONS            | <input type="checkbox"/> TAPE DISPENSERS              |
| <input type="checkbox"/> KEYBOARDS & MICE         | <input type="checkbox"/> TIME CLOCKS                  |
| <input type="checkbox"/> LIGHT SWITCHES           | <input type="checkbox"/> TOASTER OVENS                |
| <input type="checkbox"/> MAILBOXES                | <input type="checkbox"/> TRASH RECEPTACLES            |
| <input type="checkbox"/> MICROWAVES               | <input type="checkbox"/> VENDING MACHINES             |
| <input type="checkbox"/> PAPER TOWEL DISPENSERS   | <input type="checkbox"/> WATER FOUNTAINS              |

### DON'T OVERLOOK THESE COMMON GATHERING PLACES.

- |  |  |
|--|--|
| <input type="checkbox"/> BREAK ROOM AREAS (APPLIANCES, SINKS, CHAIRS & TABLES)       | <input type="checkbox"/> CONFERENCE ROOM TABLES & CHAIRS |
| <input type="checkbox"/> RESTROOMS (RESTROOM FLUSH HANDLES, TOILET PAPER DISPENSERS) | <input type="checkbox"/> OPEN SHARED WORKSPACES          |

While we hope it will never be necessary, ServiceMaster by Gilmore is qualified and equipped with the required protocols and processes should any pathogen outbreak occur within your facility.

**SERVICEMASTER BY GILMORE**  
PLEASE CALL US IF WE CAN BE OF SERVICE  
> **800-783-0552**



ServiceMaster by Gilmore



# HAND WASHING PREVENT THE SPREAD OF INFECTION

Proper hand hygiene is the #1 way to reduce the risk of infection. It is important to wash hands frequently and properly with soap and water for at least 20 seconds.



Recommendations from the  
Centers for  
Disease Control  
& Prevention

- ✓ Soap and water is the best & preferred method of performing hand hygiene.
- ✓ Hands should be washed for at least 20 seconds. An easy way to remember this is to sing Happy Birthday twice.
- ✓ If soap and water are not available, an alcohol-based hand sanitizer containing at least 60% alcohol is an acceptable alternative. Enough product should be used to thoroughly wet hands.
- ✓ If using hand sanitizer, hands should be rubbed together until the product has fully dried.



01. Wet hands under running water.



02. Apply soap and rub palms together to ensure complete coverage.



03. Spread the lather over the back of the hands.



04. Make sure the soap gets in between the fingers.



05. Grip the fingers on each hand.



06. Pay particular attention to the thumbs.



07. Press fingertips into the palm of each hand.



08. Dry thoroughly with a clean towel.

While we hope it will never be necessary, ServiceMaster Restore is qualified and equipped with the required protocols and processes should any pathogen outbreak occur within your facility.

PLEASE CALL US IF  
WE CAN BE OF SERVICE  
> (800) 783-0552



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# Where to go for more information

1. CDC interim guidance for employers: <https://www.cdc.gov/coronavirus/2019ncov/specific-groups/guidance-business-response.html>
2. CDC how COVID-19 spreads: <https://www.cdc.gov/coronavirus/2019ncov/about/transmission.html>
3. Environmental Protection Agency, Emerging Viral Pathogen Guidance for Antimicrobial Pesticides: <https://www.epa.gov/pesticide-registration/emerging-viral-pathogenguidance-antimicrobial-pesticides>

## MASSACHUSETTS

4. <https://www.mass.gov/resource/information-on-the-outbreak-of-coronavirus-disease-2019-covid-19>
5. <https://www.mass.gov/info-details/frequently-asked-questions-about-covid-19>
6. <https://www.mass.gov/info-details/covid-19-printable-fact-sheets>

# Contact



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508-922-7549 cell

800-783-0552 office

# Q & A

## Essential Service

Q. If there is a lockdown in MA, would a cleaning and maintenance staff be considered essential, as many residents are considered high risk individuals?

A. ServiceMaster is considered to be an essential business. You can check with your local provider to see if they have this status.



### SERVICEMASTER AS A PROVIDER OF ESSENTIAL SERVICES

The professional disaster recovery, commercial and residential cleaning industries are essential services, responsible for the protection of public health and property. We play a vital role in protecting our nation's public health in both commercial and consumer settings. As the current COVID-19 crisis has unfolded, orders have been promulgated largely at the state and local level with respect to decisions to shelter in place and limit movements. One common theme, however, is a recognition of the vital importance of service providers who provide services that are necessary to maintaining the safety and sanitation of businesses, public institutions and residences.

ServiceMaster has been providing services to consumers and businesses since 1929. During that time, we have developed industry-leading training and protocols. ServiceMaster Restore, ServiceMaster Clean and Merry Maids have thousands of technicians and service providers trained, tested and certified in the use of the proper products and personal protective equipment (PPE) that enables them to effectively clean and disinfect homes and businesses. As providers of essential services, we are prepared to address the most pressing cleaning and disinfection issues facing our customers, whether it involves cleaning schools, public institutions and businesses during shutdown periods, or the day-to-day needs of homes and healthcare facilities. As families are spending more time at home in self-isolation and quarantine in close proximity, it is even more critical that they receive disinfection and sanitization of their homes by residential cleaning services like Merry Maids. We cannot afford to have our medical facilities, schools, offices or homes rendered dangerous due to risk of infection, particularly as we tell citizens to stay home.



Q. Can we reasonably expect that residents will be carrying their own hand sanitizer to use on elevator buttons, entry code buttons, hand rails and door handles because it would be impossible to keep these surfaces clean? also the gym and gym equipment. Should that not be the responsibility of the user of the equipment?

A. Dual effort- residents and management

Q. What if you have a major water damage or fire in a building where someone is quarantined with a confirmed case of COVID-19?

- Check with your provider on their policy.



# Coronavirus in your Community

It is unlikely that most Board Members and Community Managers have dealt with a situation quite like this before. The anticipated duration of the Coronavirus situation as well as the abundance of unknowns is disrupting day to day life. Overly restrictive or reactionary protocols will create unnecessary stress and strain and not all communities will be impacted in the same ways.

- **Do not fail to plan**

If the Board has not done so already, they should plan to meet immediately with their manager or as a group in the case of self-managed communities. Do not let the fear of congregating dissuade the Board from meeting. There are countless methods for the Board to connect through email, over the web or teleconferencing. Establishing a collective plan will minimize panic and provide a framework for the Board to handle Coronavirus in your community. Because of the fluid dynamic of this situation, be certain that the Board has a vehicle to remain in constant contact so that decisions can be made as new information is released and unique situations in the community arise.

- **Communicate, communicate, communicate**

One of the most important functions that a Board or manager has is to communicate with the community. Even in non-crisis times, well informed residents generally make for calm and harmonious communities. Frequent communication also slows the rumor mill. Who, what, where and when. However, also consider that *how* you communicate with your residents is equally as significant as the information you are providing. Hopefully the Board or manager has maintained recent contact information for all community members. Emails, phone blasts and app-based communication methods will provide the most immediate method of conveying information. However, do not rule out the distribution of written materials as some of the individuals most impacted by Coronavirus may not be savvy when it comes to email or other electronic forms of communication. Be sure to include in all of your communications a request to ensure that residents have provided their most updated contact information to the Management office or Board liaison.

# Coronavirus in your Community

- **Stop work**

For communities where maintenance personnel typically enter units to address work it is recommended that this practice discontinue except for the most extreme instances which may threaten health/safety or have the potential to impact other units. Residents should be told that this proactive measure is being taken for their safety as much as for the employees or contractors. Managers and Board Members should still maintain a list of work to be completed and addressed at a future time. Your city or municipality may have already enacted a restriction against construction. Even if your city or town has not put this measure into place, the Board and Management should give thought to the postponement of any large jobs, or at least strongly consider the possible ramifications of continuing any planned capital projects. Is your planned project one that may require temporary day-time displacement of residents? Consider where those people will go and if the project is an absolute necessity at this time.

- **Promote social distancing in your community**

For once, residents should be encouraged NOT to be social. Encourage residents to limit their time in common areas. Depending on your community, complete avoidance of common areas may be an impossibility. Residents will need to enter hallways, lobbies, and parking garages. Tell residents, "Don't wait, don't congregate." Any community with health clubs, functions rooms, a club house, pool, or any gathering spot should immediately make moves to close these facilities. As the warmer months approach and without knowing the duration of this crisis, Boards may need to consider that seasonal pools remain closed. According to the CDC there is no evidence that COVID-19 can be spread through the use of pools and hot tubs. but the practice of social distancing is going to be extremely challenging in that environment. Does your pool require lifeguards? Are you putting residents and/or lifeguards at risk in the event that they must respond to a pool emergency? Those communities that rent their function rooms should promptly refund any rental fees to those individuals. Buildings with elevators should request that residents limit the cab load to one party at a time, as maintaining the CDC's recommended six feet is difficult in an elevator. Communities with common laundry rooms should continue to keep those facilities open and operational but encourage residents to limit their time spent there. At the end of a cycle, retrieve your laundry and fold it in your unit.

# Coronavirus in your Community

- Limit guests and visitors

In an effort to promote social distancing, encourage your residents to limit visitors, contractors and guests to their units. Now is not the time for a resident to begin a kitchen remodel or host a dinner party. Residents should give consideration to restricting visitors only to those that can be considered essential; these would include but are not limited to health care providers, aides, grocery or medicine deliveries.

- \*There is always an exception

The one contractor you may want to see more of is your cleaning company. If you are a manager or on the Board of a community with interior common areas you will want to increase the frequency of your cleaning. In addition to increasing these efforts you may want to target the work to address only the most frequently touched surfaces. Use your resources wisely during this time. The rate of hallway vacuuming, for example, could be dialed back and be refocused to sanitize those high traffic common areas, lobbies, elevators, laundry rooms, door handles, etc. This effort is not only effective at reducing transmission of a virus it also provides a reassuring visual to residents in your community.

# Coronavirus in your Community

- Staff and service considerations

Managers and the Board should be prepared to work with an increased number of sick employees, closed management offices, and a reduced ability to receive and provide normal operating services. Residents should be made aware of this possibility in order that they can anticipate how this will impact their day to day. Package delivery, service orders, landscaping and snow removal are just some of the routine operations that will likely see a decrease as resources and personnel are stretched.

- Do not lose sight of the *community*

We are truly all in this together and despite all the encouragement to exercise social distancing now more than ever is a time to exemplify the concept of community. Coronavirus infects ALL human beings and as such we all have a responsibility to help correct misconceptions and stereotypes about this pandemic. The coronavirus crisis will impact some residents and communities more than others. Consider establishing a collective effort among the members of your community to provide help and assistance to those that may be in need. For many residents, just knowing there is a support network of neighbors to run errands and help with small tasks will go far in reducing some of the inevitable anxiety we all likely feel as a result of this pandemic.



# BROOK HOUSE CONDOMINIUM SOCIAL DISTANCING

1

## ONE PARTY IN THE ELEVATOR AT A TIME

In order to maintain appropriate social distancing please restrict elevator use to one party at a time-or use the stairs

2

## PICKING UP A PACKAGE FROM SECURITY?

Come to security, stay behind the ropes, we will have your package ready for pick up outside the security door.

3

## LIMIT TIME IN THE COMMON AREAS

Don't wait or congregate. If you must leave your unit spend as little time as possible in the common areas, this includes the laundry rooms.

4

## ONLY RESIDENTS AND ESSENTIAL PERSONS

Please discourage your guests, contractors, cleaners and other visitors from coming to the Brook House.

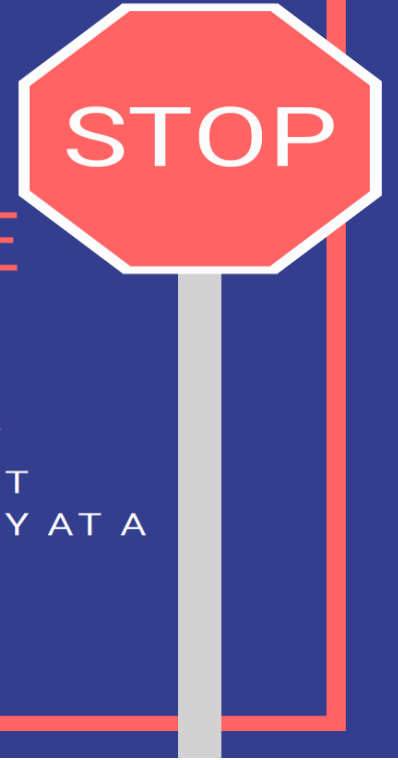
**The Brook House cares...the idea is that we should limit contact with each other. We need to be strict about it. We are not going to defeat this and halt transmission if people loosely interpret what it means to self-quarantine, self-isolate or social distance.**

BROOK HOUSE CONDOMINIUM  
CORONAVIRUS PRECAUTIONS

# PRACTICE SOCIAL DISTANCING

## DON'T SHARE THE ELEVATOR

TO PREVENT THE SPREAD OF  
CORONAVIRUS...PLEASE LIMIT  
ELEVATOR USE TO ONE PARTY AT A  
TIME.



# CAI Resources

WHAT TO KNOW ABOUT COVID-19, YOUR COMMUNITY, AND CAI:

<https://www.caionline.org/Pages/Coronavirus.aspx>

Exchange Discussion Boards:

- Open CAI Member Forum
- Community Association Lawyers Exchange Group

**CAI exchange**