

As a result of the recent executive order issued by Governor Ron DeSantis declaring a state of emergency for the State of Florida in connection with Coronavirus (COVID-19) along with the World Health Organization's (WHO) classification of Coronavirus (COVID-19) as a pandemic, we find it necessary to provide our community association clients with an in-depth evaluation and proposed recommendations to be utilized in response to the effects and widespread impact of Coronavirus. The full, in-depth letter addressing same is attached to this e-mail for your Board's review.

In short, we recommend the following:

1. Review and assess the statutory provisions which address emergency powers community associations are authorized to take in response to the declaring of a state of emergency. These provisions will differ depending on the type of association, i.e., a condominium, a cooperative, or a homeowner's association. The attached letter recites the provisions in their entirety.
2. Consider conducting upcoming board or committee meetings virtually, for example, by telephone or by video conferencing services.
3. Consider urging members to cast votes via proxy for membership meetings if permitted by your Bylaws, in lieu of attending in person. Consult with legal counsel regarding the necessity of conducting the annual meeting if the election is not contested, or the possibility of temporarily postponing membership meetings.
4. Closely monitor and follow the recommendations, mandates, and developments issued by the federal government, the Centers for Disease Control and Prevention (CDC), and the Florida Department of Health.

Helpful Links Include:

Centers for Disease Control and Prevention:

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

World Health Organization:

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

Florida Department of Health:

<http://www.floridahealth.gov/diseases-and-conditions/COVID-19/index.html>

5. Immediately implement the preventative measures recommended

by the CDC. These measures include, but are not limited to, washing your hands with soap and water often and when doing so for at least 20 seconds, use hand sanitizer that contains at least 60% alcohol when soap and water are not readily available, avoid touching your eyes, nose and mouth with unwashed hands, avoid contact with people who are sick, and clean and disinfect frequently touched surfaces.

6. Review and assess the necessity of temporarily closing common facilities (pool, gym, and clubhouse), or increasing routine environmental cleaning of these areas.

7. If the Association becomes aware that an individual in their community tests positive for Coronavirus, notifying the membership - without disclosing the name or other personal identifying information of the infected resident - of the potential health risk in the community.

8. Consult with legal counsel if the Association has further specific questions concerning the exercise its emergency powers or if there are additional concerns related to handling of Coronavirus.

The ultimate goal is to ensure that preventative measures are being taken and the Board properly utilizes its emergency powers in response to Coronavirus. We are here to help you every step of the way. Please contact us with any and all questions and concerns before taking action.

Thank you, and stay well.

Click link below for full memo:

[Covid-19 Memo](#)

Sincerely,

Ross Earle Bonan & Ensor, P.A.
www.reblawpa.com

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Ross Earle Bonan & Ensor, P.A., 789 SW Federal Highway Suite 101, Stuart, FL 34994