

HOA's Lead Together (v4.5)

*Reopening Common Areas & FCS
Policies for Offices & HOA Meetings*



FCS Community Management's suggestions for Owner Associations to consider for reopening Common Areas based on the *Utah Economic Response Task Force's Utah Leads Together (Version 3)* & the addendum document - *Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation (Version 4.5)*. Per the Utah documents, plans are based on current best practices and local/national government recommendations. Because the situation is constantly changing, the data will be monitored regularly, and Utah's recommendations will be updated as necessary.

FCS Community Management requests Owner Associations consult with legal, insurance and health experts prior to adoption of any reopening plans.

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LETTER FROM MICHAEL JOHNSON, CEO – FCS COMMUNITY MANAGEMENT

June 1, 2020

Dear Board Members,

As we have all adapted to a new “normal” during the COVID-19 crisis, FCS is proud of the efforts made by our employees, HOA Boards, homeowners and business partners. Through cooperation, information and action we have been able to work to ensure the needs of our clients and customers have continued to be addressed. The day to day administration of your association has proceeded without interruption as we have met the challenges of current social distancing guidelines. At FCS, we remain committed to being your management partner and will continue to keep our customers updated as the situation evolves and we follow guidance from local, state and federal agencies – including the CDC.

Currently, most of Utah (other than Salt Lake City, Bluff & Mexican Hat) sit in the Low Risk / Yellow Phase. A little over a week into this phase, the number of individuals testing positive for COVID-19 are spiking and the month of June remains a mystery for the continued openness of society. We have prepared this document of suggestions for the continued reopening of common areas and facilities, as well as to inform you of our FCS policies for our offices, employees and association board and owner meetings - all based on the latest *Utah Leads Together (3.0)* plan and Governor Herbert’s counsel to “make it your own.”

We can report our interactions with your homeowners continue to be positive and understanding regarding the current state of openness of common areas and amenities. Through adoption of your association plan, based on all available suggestions, and the communication of your plan to your homeowners, homeowners and residents will continue to be understanding and know what lies ahead in the months to come.

I echo Governor Herbert in saying “Our distinctive desire to engage, to care for, to protect, and to lift one another sets us apart. As one Utah . . . we will adapt, innovate, and emerge even stronger.”

We continue to be encouraged by the progress being made to bring this crisis to an end but our concerned the rapid change in risk levels may prove to have been a bit too quick. However, with associations following CDC and professional recommendations, common areas hopefully will remain a non-contributor to the spread of the disease. Please continue to familiarize yourself with the recommendations of experts and take necessary precautions to protect yourself, your family and your community. FCS Community Management is here to assist wherever possible.

Michael Johnson – CEO
FCS Community Management

TEMPLATE LETTER FOR ASSOCIATIONS TO SEND TO OWNERS/RESIDENTS THIS WEEK

Dear Owners & Residents,

The Board, in consultation with the association management, attorney, insurance provider, and other business partners, would like to update you on association's contingencies as a result of the COVID-19 pandemic, and the phased reopening of association common areas and amenities.

Based on advice that has been circulated by the Centers for Disease Control and Prevention and the Utah 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 government and health department directives, CDC guidance and advice from our professional partners.

COMMON AREAS & AMENITIES

Currently, the association has [opened/closed] the [playgrounds, clubhouses, pools, and fitness rooms/gyms] [as well as increasing cleaning, disinfecting, and wiping down of any association high-touch common areas].

Attached to this letter, please find the updated Risk (High/Moderate/Low/Normal) & Color (Red/Orange/Yellow/Green) schedule our association is using throughout the pandemic. **Please review them carefully** and remember, Utah's plan includes provisions for different counties/cities/communities to be on different Risk/Color levels. It is not a one-size-fits-all statewide plan. Our association will follow the plans for our area.

During the Low Risk / Yellow Level maximum occupancy of our [clubhouse and pool] is 50 (or one person per 36 square feet). ***For the time-being, with the decreased number of users allowed, use of the pool is limited to association residents only (no outside guests).*** [The fitness room / gym occupancy is limited to one person per 125 square feet.]

LIABILITY RELEASE & WAIVER

Although open, the use of association amenities and facilities still contains risks to you should you participate. Therefore, prior to use, you must electronically sign an association Release of Liability Related to COVID-19 document for yourself and your children (each adult must sign separately). Facilities with attendants will have paper copies available. You can electronically sign at [URL]. Owners who do not sign the release document will not be allowed access at this time.

ASSOCIATION MEETINGS & EVENTS

Additionally, the association has postponed/canceled community events and meetings. Board meetings are now being held through FCS Community Management's web-conferencing platform. Owner meetings will continue to be postponed at least through the end of June and thereafter be held through web-conferencing. [Insert information about any upcoming meetings here if desired.]

SOCIAL DISTANCING & FACE COVERINGS

In-person interactions should be limited to individual households and those who have been following the recommended distancing and hygiene guidelines and in groups of 50 or fewer. **Face coverings should be worn in public settings where social distancing measures are difficult to maintain.**

FCS COMMUNITY MANAGEMENT OFFICES

FCS offices are open to personal visits through the Low Risk / Yellow Level. All non-essential management employees are working remotely. Customer Service Hours remain Monday – Saturday, 9 am – 9 pm.

HEALTHY TOGETHER APP

Utahns are working to slow the spread of COVID-19. We can work together to protect our family members, friends, health workers, and our community. The Healthy Together app helps you assess your symptoms, find the nearest testing center, view test results, and learn what to do after you've been tested for COVID-19. Search “Healthy Together” in the Apple App Store or the Google Play App Store.

The association will not and does not make any of the decisions mentioned above lightly. These actions are being taken to protect the health and welfare of the residents of this community and in compliance with Utah directives. We recommend you bookmark and check frequently the coronavirus.utah.gov website.

Thank you for your cooperation and understanding. Stay safe and healthy. Please contact our management with any questions.

Sincerely,

[Community Association Name] Board

This information is subject to change. It is published with the understanding that FCS Community Management 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.

ASSOCIATION RELEASE OF LIABILITY RELATED TO COVID-19 TEMPLATE

RELEASE OF LIABILITY RELATED TO COVID-19 READ CAREFULLY – THIS AFFECTS YOUR LEGAL RIGHTS

BY SIGNING BELOW I HEREBY ASSUME ALL OF THE RISKS ASSOCIATED WITH COVID-19, INCLUDING WITHOUT LIMITATION, RELATED EXPOSURE, CONTAMINATION, AND INFECTION IN CONNECTION WITH ANY/ALL USE AND ACTIVITIES (“Activities”) WITHIN AND AROUND [describe project and amenities and facilities] (“Common Amenities”) AND AGREE TO INDEMNIFY AND HOLD HARMLESS THE FOLLOWING ENTITIES OR PERSONS FOR ALL CLAIMS OF LIABILITY ARISING OUT OF OR RELATED TO COVID 19 IN CONSIDERATION FOR BEING PERMITTED TO USE AND ACCESS THE COMMON AMENITIES: [Association Name] (“Association”) and any of its Declarants, Agents, Owners, Directors, Officers, Employees, Volunteers, Vendors, Representatives, or Participants (hereinafter the “Releasees”).

Risks: I acknowledge that access to and use of the Common Amenities may not be supervised, may carry with it the potential for death, serious bodily injury, illness, disease, mental anguish, and property loss or damage. Any risks may include, but are not limited to exposure to unsanitary, viral, bacterial, or other conditions conducive to contracting or spreading COVID-19 and exposure to actions, negligence, or carelessness of the Releasees and other users of the common amenities. To further protect all Releasees and other users of the common amenities, I certify that to the best of my knowledge that the individuals identified herein are free of any condition that might create undue risk in me/us or others.

Parent / Guardian Certification: I hereby certify and warrant that I am the adult parent or legal guardian of the minor child/children identified herein, and I consent to his/her/their participation in the Activities. I understand and acknowledge that I am fully aware of and assume the risks of said minor child’s/children’s participation in the Activities. I recognize my responsibility to ensure that said minor child/children does/do not have any medical condition that might create undue risk for themselves or others. I understand that the Releasees shall have no responsibility to pay for damages, injury, medical treatment and/or any COVID-19 related costs or damages if said minor child/children are injured or harmed in any way arising out of the Activities.

Assumption of Risk: In consideration for permitting me and/or the minor child identified herein to participate in any of the Activities, and knowing the risks, which are not limited to those described above, I agree, personally and on behalf of the minor child/children named or referenced herein, to assume all the risks and responsibilities surrounding my and the minor child’s/children’s participation in the Activities. To the fullest extent allowed by law, I waive, release, hold harmless and agree to indemnify the Releasees, from and against any present or future claim, cause of action, loss or liability for injury to person or property, which I or said minor child/children may suffer, related to my or said minor child’s participation in the Activities, resulting from or arising out of COVID-19, and regardless of fault. This agreement shall bind my heirs, executors, assigns, legal representatives or any other person who may assert the released claims.

Certification of Consent: I CERTIFY THAT I HAVE READ THIS DOCUMENT AND I FULLY UNDERSTAND IT AND ITS CONTENTS. I AM AWARE THAT THIS IS A CONTRACT FOR A FULL RELEASE OF LEGAL LIABILITY AND I SIGN IT OF MY OWN FREE WILL.

Releasing Party Name

Signature

Date

Minor Participant Name (Age)

Address of Association Residence

Minor Participant Name (Age)

Unit # / Lot # of Association Residence

Minor Participant Name (Age)

Association Account # (from statements)

Minor Participant Name (Age)

**PLEASE KEEP A
COPY OF THE
EXECUTED
DOCUMENT ON YOUR
CELL PHONE TO
SHOW ASSOCIATION
MANAGEMENT**

WARNING

You must fill out a consent and release form prior to use of the facilities. Please keep a copy of the executed document on your cell phone to show association management.

Use at your own risk of exposure to COVID-19 and other communicable viruses and diseases.

By entering and using the facilities you agree to take all responsibility for your own health and the health of your children and guests. The Association makes no assurance regarding the cleanliness and sanitation of the facilities. By using the facilities, you may become sick, contract the COVID-19 virus or infect others.

If you are ill or have any symptoms (fever, dry cough, body aches, chills, incontinence, shortness of breath) **you may not access** the facilities and may be asked to leave.

If you fail to follow extreme caution in social distancing and sanitation, you may be asked to leave.

While using the facilities:

- Disinfect your hands often with soap or sanitizer
- Avoid touching your face and touching others
- Wear a face mask as much as possible
- Maintain six feet of space between yourself and others to prevent spread of COVID-19
- Cover your mouth and nose when you cough or sneeze
- It is your responsibility to disinfect and clean surfaces you touch

Guidelines for Association Common Areas & Amenities

GUIDELINES FOR ALL HOA'S, COMMON AREAS & INTERACTIONS

State Risk Level

Suggestions for Consideration

High Risk

1	2	3	4	5	6	7	8	9	10
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- HOA's take **extreme precautions**
- Minimize face-to-face interactions
- Essential interactions in groups up to **10**
- Management operates remotely
- Face coverings worn at all times in common areas
- Leave home infrequently, stay 6 feet away from others when outside the home
- Eliminate unnecessary travel and cancel or postpone in-person meetings

Moderate Risk

1	2	3	4	5	6	7	8	9	10
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- HOA's take **extreme precautions**
- Minimize face-to-face interactions
- **Essential** interactions in groups up to **20**
- Management operates remotely
- Face coverings worn at all times in common areas
- Leave home infrequently, stay 6 feet away from others when outside the home
- Eliminate unnecessary travel and cancel or postpone in-person meetings
- **Encourage use of Utah's Healthy Together app**

Low Risk

1	2	3	4	5	6	7	8	9	10
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- HOA's take **reasonable** precautions
- **Essential** interactions in groups up to **50**
- Management operates remotely
- Face coverings worn at all times in common areas **for interactions** that take place within a 6-foot distance
- Limit unnecessary travel
- **Encourage use of Utah's Healthy Together app**

Normal Risk

1	2	3	4	5	6	7	8	9	10
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- HOA's take **reasonable** precautions
- Avoid areas of high transmission
- Regularly disinfect high-touch areas (e.g. door handles, buttons/switches, handrails, restrooms)

PLAYGROUNDS

State Risk Level

Suggestions for Consideration

High Risk



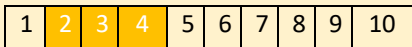
- **CLOSED (post signs)**

Moderate Risk



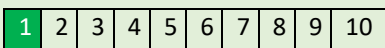
- **CLOSED (post signs)**

Low Risk



- **May** open
 - Post Signs w/ Liabilities of Use
 - Increase cleaning and hygiene regimen
 - Limit child interaction with other children on playground equipment

Normal Risk



- **May** open
 - Normal Use but follow hygiene standards
 - All symptomatic children should stay home and not use public playground equipment

CLUBHOUSES

State Risk Level

Suggestions for Consideration

High Risk

1	2	3	4	5	6	7	8	9	10
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- **CLOSED**

Moderate Risk

1	2	3	4	5	6	7	8	9	10
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- **May** open - reservation of groups up to the lower of 20 or one attendee per 36 square feet
- Attendees use at their own risk; Post sign at entrances: "All Users Must Have Signed Liability Release on File With HOA; Do Not Use if Symptomatic or if Exposed to Virus in Last 14 Days" and "Use at Your Own Risk"
- Reserving resident responsible to get Signed Liability Release from non-resident guests
- Attendees responsible to completely disinfect facility **BEFORE & AFTER** use
- Only one (1) reservation per day

Low Risk

1	2	3	4	5	6	7	8	9	10
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- **May** open - reservation of groups up to the lower of 50 or one attendee per 36 square feet
- Attendees use at their own risk; Post sign at entrances: "All Users Must Have Signed Liability Waiver Release on File With HOA; Do Not Use if Symptomatic or if Exposed to Virus in Last 14 Days" and "Use at Your Own Risk"
- Reserving resident responsible to get Signed Liability Release from non-resident guests
- Attendees responsible to completely disinfect facility **BEFORE & AFTER** use
- At least two (2) hours between reservations

Normal Risk

1	2	3	4	5	6	7	8	9	10
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- Attendees use at their own risk
- Attendees responsible to completely disinfect facility **BEFORE & AFTER** use

POOLS

State Risk Level

Suggestions for Consideration

High Risk

1	2	3	4	5	6	7	8	9	10
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- **CLOSED**

Moderate Risk

1	2	3	4	5	6	7	8	9	10
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- **CLOSED, except for lap swim only, one swimmer per lane – only for pools with floating lap marking lines**

Low Risk

1	2	3	4	5	6	7	8	9	10
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- **May** open pools at 50% capacity of posted bather load (up to a maximum of **50** people)
- Attendees use at their own risk; Post sign at entrances: “All Users Must Have Signed Liability Waiver Release on File With HOA; Do Not Use if Symptomatic or if Exposed to Virus in Last 14 Days” and “Use at Your Own Risk”
- No congregating on pool decks
- Limit pools to residents only – NO GUESTS
- NO pool deck chairs, loungers, tables
- Hire Pool Attendant to 1) notify patrons of capacity issues and 2) disinfect all rails, door knobs, gate handles and bathroom surfaces regularly
- Pool Attendant is not a police officer, if strict compliance desired, contract with security company
- Normal bather load
- Limit pools to residents only – NO GUESTS
- Return pool deck chairs, loungers, tables
- Increase cleaning and hygiene regimen
- Keep Pool Attendants to disinfect all rails, door knobs, gate handles and bathroom surfaces regularly

Normal Risk

1	2	3	4	5	6	7	8	9	10
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SPORTS COURTS – TENNIS, PICKLE, BASKETBALL, ETC.

State Risk Level

Suggestions for Consideration

High Risk

1	2	3	4	5	6	7	8	9	10
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- **CLOSED**

Moderate Risk

1	2	3	4	5	6	7	8	9	10
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- **May** open but limit the number of users in the facility at one time to 1 person per 120 square feet
- Attendees use at their own risk; Post sign at entrances: “All Users Must Have Signed Liability Waiver Release on File With HOA; Do Not Use if Symptomatic or if Exposed to Virus in Last 14 Days” and “Use at Your Own Risk”
- 10 feet of distance at all times between users
- HOA provides cleaning supplies and post signs encouraging patrons to clean all equipment BEFORE and AFTER each use
- If supplies remain limited, and HOA cannot supply, CLOSE facility

Low Risk

1	2	3	4	5	6	7	8	9	10
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- **May** open
- Remain at least 6 feet apart from individuals from other households while engaging in outdoor activities
- Avoid high-touch surfaces, including gates and equipment
- Spectators maintain social distancing between household groups and wear face coverings when social distancing guidelines are difficult to maintain

Normal Risk

1	2	3	4	5	6	7	8	9	10
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- Resume activities, follow hygiene standards

FITNESS ROOMS/GYMS

State Risk Level

Suggestions for Consideration

High Risk

1	2	3	4	5	6	7	8	9	10
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- **CLOSED**

Moderate Risk

1	2	3	4	5	6	7	8	9	10
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- **CLOSED**

Low Risk

1	2	3	4	5	6	7	8	9	10
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- **May** open but limit the number of users in the facility at one time to 1 person per 120 square feet
- Attendees use at their own risk; Post sign at entrances: "All Users Must Have Signed Liability Waiver Release on File With HOA; Do Not Use if Symptomatic or if Exposed to Virus in Last 14 Days" and "Use at Your Own Risk"
- 10 feet of distance at all times between users
- HOA provides cleaning supplies and post signs encouraging patrons to clean all equipment BEFORE and AFTER each use
- If supplies remain limited, and HOA cannot supply, CLOSE facility

Normal Risk

1	2	3	4	5	6	7	8	9	10
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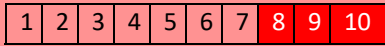
- HOA provides cleaning supplies and post signs encouraging patrons to clean all equipment BEFORE and AFTER each use
- If supplies remain limited, and HOA cannot supply, instruct users to provide own supplies

ELEVATORS, COMMON RAILINGS, MAILBOX CLUSTERS, DUMPSTERS

State Risk Level

Suggestions for Consideration

High Risk



ELEVATORS

One rider at a time

COMMON RAILINGS

Disinfected daily

MAILBOX CLUSTERS

Disinfected daily

DUMPSTERS

Disinfected daily

Moderate Risk



ELEVATORS

One rider at a time

COMMON RAILINGS

Disinfected daily

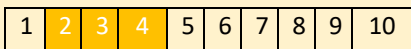
MAILBOX CLUSTERS

Disinfected daily

DUMPSTERS

Disinfected daily

Low Risk



ELEVATORS

Face coverings

COMMON RAILINGS

Disinfected weekly

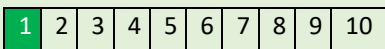
MAILBOX CLUSTERS

Disinfected weekly

DUMPSTERS

Disinfected weekly

Normal Risk



ALL

Normal disinfecting schedule

FCS Policies for Employees, Offices & HOA Meetings

FCS POLICIES FOR EMPLOYEES, OFFICES & HOA MEETINGS

State Risk Level

Policy

High Risk

1	2	3	4	5	6	7	8	9	10
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- All offices closed to customers and non-essential employees
- Make every possible effort to enable working from home as a first option; where not possible, comply with distancing and hygiene guidelines
- Eliminate unnecessary travel and cancel or postpone in-person meetings, conferences, workshops, and training sessions
- Require employees to self-quarantine for 14 days, if symptomatic, exposed and/or when returning from high-risk areas
- All association meetings postponed through April 15th
- After April 15th, all Board Meetings held virtually through FCS' StartMeeting video conferencing application
- Recommend postponing all Owner Meetings through May 31st
- After May 31st, all Owner Meetings held virtually through FCS' StartMeeting video conference application
- Employees - when visiting communities or working outside of home office – wear face coverings
- All employee meetings and board trainings held virtually

Moderate Risk

1	2	3	4	5	6	7	8	9	10
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- All offices closed to customers and high-risk employees
- Require employees to self-quarantine for 14 days, if symptomatic, exposed and/or when returning from high-risk areas
- Make every possible effort to enable working from home as a first option; where not possible, comply with distancing and hygiene guidelines
- Eliminate unnecessary travel and cancel or postpone in-person meetings, conferences, workshops, and training sessions
- Non-high risk employees will return to offices at least one day a week (minimize face-to-face contact, assign tasks that allow them to maintain 6-foot distance from other employees, implement flexible work hours or staggered shifts)
 - Temperature taken at beginning of shift
 - Symptoms checking
 - Keep log
- Break rooms, conference rooms and meeting rooms closed
- Employees - when visiting communities or working outside of home office – wear face coverings
- All employee meetings, HOA Board Meetings, HOA Owner Meetings and employee/board trainings held virtually

Low Risk

1	2	3	4	5	6	7	8	9	10
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- All offices may open to customers and employees
- Protective plastic partition between customer counters and employees
- “Stop” signs and clear markings of 6-foot social distancing areas
- Require employees to self-quarantine for 14 days, if symptomatic, exposed and/or when returning from high-risk areas
- Working from home, as needed, an option; where not possible, comply with distancing and hygiene guidelines
- Eliminate unnecessary travel and cancel or postpone in-person meetings, conferences, workshops, and training sessions
- Non-high risk employees will return to offices at least three days a week (minimize face-to-face contact, assign tasks that allow them to maintain 6-foot distance from other employees, implement flexible work hours or staggered shifts)
 - Temperature taken at beginning of shift
 - Symptoms checking
 - Keep log
- Break rooms, conference rooms and meeting rooms closed
- Employees - when visiting communities or working outside of home office – wear face coverings
- All employee meetings, HOA Board Meetings, HOA Owner Meetings and employee/board trainings held virtually

Normal Risk

1	2	3	4	5	6	7	8	9	10
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- Operating under stricter hygiene and cleaning regimen
- Monitoring health of employees
- All offices opened to customers and employees
- Employees will return to offices
- In-person Board Meetings may resume, but encourage virtual meetings
- All Owner Meetings remain virtual