

# Community Associations & COVID-19

## FAQ



### **PENDING CONSTRUCTION AND REPAIR CONTRACTS FREQUENTLY ASKED QUESTIONS**

#### **Can community associations prohibit owners from undertaking renovation projects so they can prevent contractors and other workers from entering the property?**

Contractors should be prohibited from entering the community unless emergency repairs are needed in a unit or on the common elements. Realtor open houses or showings should not be permitted. There are other people who have a legal right to enter the community such as process servers or census takers.

#### **How should associations address any pending construction projects?**

If possible, nonessential contracts should be deferred. If an essential project is taking place, it is crucial to speak with the vendor about its ability to staff the project within current CDC guidelines. Any contract modification needs to be in writing and approved by the board. A protocol needs to be established for necessary services (refrigerator repair) that promotes health and safety for other residents. Those people can be required to wear protective gear before entering.

#### **Do I need to pay my contractors during this time period?**

There are several considerations that need to be made by managers and boards, including are the services still being provided during this time? It is important to sit down with the contractors to negotiate what services can continued to be provided. Sandra K. Denton, CMCA, AMS, PCAM It is also important to take a close look at any current contractors for force majeure language for interruption of service payment procedures.

#### **Industry Experts on COVID-19 Pending Construction and Repair Contracts FAQs:**

- Edmund Allcock, Esq., CCAL, Marcus Errico Emmer Brooks, PC, Braintree, Massachusetts
- Donna DiMaggio Berger, Esq., CCAL, Becker Fort Lauderdale, Florida
- David Graf, Esq., CCAL, Moeller Graf, P.C., Englewood, Colorado

#### **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](#).

View the latest COVID-19 resources and guidance from CAI by visiting [www.caionline.org/coronavirus](http://www.caionline.org/coronavirus)

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