During the past two weeks Governor Doug Ducey has updated his Executive Orders to allow some businesses to begin gradually reopening across the State under strict health and safety guidelines. Balancing potential legal liability, health and safety precautions and resident demands are all critical components that must be considered as rental property owners and managers make the individual business decisions on when and to what extent their communities will re-open in the coming weeks and months.

**JUNE 19 UPDATE: On June 17, 2020, Governor Ducey he announced a new Executive Order to deal with the rising COVID-19 cases in Arizona.**

The new Order requires ALL businesses in the state to update and enforce their written policies in accordance with Executive Order 2020-36, Stay Healthy, Return Smarter, Return Stronger that adopt guidance from the Centers for Disease Control and Prevention (CDC), the Department of Labor, the Occupational Safety and Health Administration (OSHA), and the Arizona Department of Health Services (ADHS). The Governor has released specific guidance for businesses to comply with the new order here. Enforcement of the Order will be carried out by law enforcement and the regulatory agencies that oversee the business.**

In addition, the Executive Order allows local jurisdictions to adopt policies that require the use of face coverings in public. The AMA will keep an updated list of the jurisdictions that have adopted such requirements.

As they have done throughout this crisis, AMA leadership virtually gathered to share their knowledge, experiences, concerns and resources to develop the best practices to consider for a gradual re-opening of offices and amenities to residents. This is a living, working document that the AMA will continue to update with new information, strategies and guidelines as we all move through this together.

*The information in this document is a compilation of the thought leadership in our market today. It is general in nature, applicable only through the date it is published, and not intended to serve as legal advice and may not be applicable to the specific fact circumstances for all owners and managers. For specific legal advice, please consult your legal counsel.*

OVERALL CONSENSUS GRADUAL, PHASED APPROACH TO RE-OPENING FOCUSED ON RESIDENT AND EMPLOYEE SAFETY
Best Practices for Re-Opening

Requirements for all Arizona businesses to prevent COVID-19 Transmission

Pursuant to Executive Order 2020-40, starting June 17, 2020, any business, whether for-profit or non-profit, institution, profession or entity that physically operates in the State of Arizona and serves the public or is an employer shall develop, establish, implement and enforce policies that adopt guidance from the Centers for Disease Control and Prevention (CDC), the Department of Labor, the Occupational Safety and Health Administration (OSHA), and the Arizona Department of Health Services (ADHS) to limit and mitigate the spread of COVID-19 including the following:

- Promoting healthy hygiene practices;
- Intensifying cleaning, disinfection and ventilation practices;
- Monitoring for sickness;
- Ensuring physical distancing;
- Requiring face coverings when physical distancing is not feasible;
- Providing necessary protective equipment;
- Allowing for and encouraging teleworking where feasible;
- Providing plans, where possible, to return to work in phases; and
- Limiting the congregation of groups of no more than 10 persons when feasible and in relation to the size of the location.

Pursuant to the previous and updated guidance issued by the Centers for Disease Control and Prevention (CDC) and the Arizona Department of Health Services (ADHS), under all circumstances, the following precautions are required for businesses operating in Arizona:

- **Unless the service provided does not allow for physical distancing, businesses shall implement and enforce physical distancing requirements of at least 6 feet between employees and/or customers:**
  - Maintain physical distancing of at least 6 feet in between tables, chairs, or desks if in an open space.
  - Maintain clearly marked 6-foot spacing marks and/or signage along entrances, waiting areas, hallways, patios, and restrooms and any other location within a business where queues may form or patrons may congregate.
  - If physical barriers are not possible, consider the use of visual cues, such as tape marks or decals, placed 6 feet apart to indicate where to stand.
  - Operate with reduced occupancy and capacity based on the size of the business location to accommodate 6 feet physical distancing, with special attention to limiting areas where customers and employees can congregate.
  - Install barriers, rearrange or remove furniture, use signage to promote physical distancing, or provide remote opportunities such as delivery or pick-up for consumers.
  - Close or limit access to congregate settings such as lunchrooms, employee lounges or break rooms, and other communal gathering spaces as feasible.
  - Ensure proper use of personal protective equipment (PPE), such as gloves, face coverings or respirators, as required.
  - Implement policies and encourage teleworking where feasible.

- **In businesses where services cannot be provided without physical distancing, all possible efforts shall be made to physically distance to the greatest extent possible and the business shall implement and enforce a policy for the use of face coverings by employees and customers when feasible.**
### Best Practices for Re-Opening

- Maintain physical distancing, to the extent possible.
- Provide and require employees to wear masks when possible.
- Operate with reduced occupancy and capacity based on the size of the business location with special attention to limiting areas where customers and employees can congregate.
- Implement comprehensive sanitation protocols.
- Consider operating by appointment-only to manage occupancy levels.

- **Post physical and/or electronic signage at building entrances of public health advisories prohibiting individuals who are symptomatic from entering the premises.**

- **Continue to provide options for delivery or curbside service if you provide business to customers.**

- **Implement symptom screening for employees prior to the start of their shift.**
  - Wellness/symptom checks, including temperature checks for all personnel, when possible, as they arrive on premises or before opening.
  - Maintain physical distancing guidelines and use personal protective equipment (PPE) while conducting health checks.
  - Health checks should be done in a private location to avoid stigma and discrimination in the workplace. Information should be kept confidential.
  - Employees who appear to have symptoms or who become ill while at work should immediately be separated from others and sent home.
    - Have a plan in place for safely transporting sick employees to their home or healthcare provider.

- **Require sick employees to stay home and not return until they have met criteria to return to work.**
  - Employers should not require a COVID-19 test result in order for employees to return to work and should consider waiving any requirement for a note from a healthcare provider.
  - Sick employees, or those with a family member at home sick with COVID-19, should notify their supervisors and stay home.

- **Employees should wear a cloth face covering when possible.**
  - CDC recommends use of a cloth face covering to contain respiratory droplets and to protect coworkers and members of the general public.
  - Note that wearing a face covering does not replace the benefits of physical distancing.

- **Increase the frequency of employee hygiene, cleaning and disinfection.**
  - Ensure hand sanitizer is available at or adjacent to entrances to the facility, restrooms and in employee work areas.
  - Where possible, ensure soap and running water are readily accessible to staff and customers.
  - Post signs on how to stop the spread of COVID-19, properly wash hands, promote everyday protective measures, and properly wear a face covering.
  - Wash hands often with soap and water for at least 20 seconds. If soap and water are not available, use a hand sanitizer with at least 60% alcohol.
  - Avoid touching eyes, nose and mouth with unwashed hands.
  - Cover coughs and sneezes with a tissue or your sleeve (not your hands) and throw the tissue away. Wash hands or use hand sanitizer immediately after.
  - Clean and disinfect frequently touched objects and surfaces such as keyboards, phones, handrails, and doorknobs.

- **Avoid using or sharing items.**
  - Instead, use disposable items and no-touch trash cans and doors.
  - Wipe any pens, touchpads, counters, or hard surfaces between each use by a customer.
Re-Opening of Leasing Offices

**PHASE 1 – THROUGH AT LEAST MAY 16TH**
- Follow [AZ Guidelines](#) for all Arizona businesses.
- Maintain basic operations as they have been through “shelter in place” with virtual and self-guided tours.
- Allow office employees to return or continue to work in leasing offices, but keep offices locked to residents and general public.
- Focus on “Stocking Up” on PPE and Cleaning/Sanitation Supplies.
- Create signage and consider physical barriers.
- Arrange the leasing office to allow for physical distancing (at least 6 Ft).
- Continue maintenance requests for emergency only.
- Determine maintenance inventory needs and order supplies in anticipation of returning to full maintenance in June or July.
- Train employees in new policies and protocols.
- Provide hand sanitizer to all employees.
- Implement symptom screening for employees.

**PHASE 2 – AS EARLY AS MAY 16TH, LATE MAY OR JUNE DEPENDING ON CONDITIONS**
- Follow [AZ Guidelines](#) for all Arizona businesses.
- Open leasing offices by appointment only.
- Require Employees and Prospects/Residents to wear PPE (masks).
- Consider some routine maintenance requests (case by case) with little or no resident contact.

**PHASE 3 – MID-JUNE OR LATER DEPENDING ON CONDITIONS**
- Follow [AZ Guidelines](#) for all Arizona businesses.
- Open leasing offices to the general public.
- Consider PPE Requirements based on conditions.
- Depending on conditions, hope to return to routine maintenance and operations by June or July.
**IMPORTANT LEASING OFFICE CONSIDERATIONS**

- Substantial supply of PPE (Masks) for all on-site staff, residents and prospects.
- Supply of thermometers.
- Determine Internal Policy when and where employees must wear masks.
- Determine Policy on when and where residents and prospective residents must wear masks.
- Consider potential signing of waivers before prospects begin on-site tours.
- There is currently no legislative immunity for premises liability or negligence claims related to COVID-19 for our industry, if health and safety guidelines are being followed.

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Re-Opening Resident Amenities – POOL AREAS

**PHASE 1 – MAY 13TH**

- Follow [AZ Guidelines](#) for pool areas.
- Follow [AZ Guidelines](#) for all Arizona businesses.
- Determine social distancing and PPE policies and communicate to residents before opening.
- Create resident communication setting up guidelines, expectations, warnings and disclaimers.
- Create signage for pools.
- Remove pool furniture as needed to allow for physical distancing (at least 6 ft).
- Limit occupancy in the pool area.
- Remove towels and hydration stations (residents to bring their own towels and water).
- Stock up on supplies – sanitizers, wipes, pool chemicals & cleaning supplies.
- Consult legal team on signage, notices, communication and waivers.
- Work with legal counsel to determine liability and risk.
- Consider guest or no guest policy.
- Ensure Pool chemistry is adequate for disinfection and put a system in place to check it regularly (multiple times per day).
  - Chlorine with cyanuric acid 2-10PPM.
  - Chlorine without cyanuric acid 1-10PPM.
  - pH 7.2-7.8.
  - Cyanuric acid 0-10OPPM.
- Provide hand sanitizer or disinfecting wipes to use to wipe down pool lounges.
- Create schedule for daily cleaning and disinfecting of the pool area and pool lounges and recommend remove all fabric cushions from pool lounges.
### Best Practices for Re-Opening

**PHASE 3 – JUNE OR LATER DEPENDING ON CONDITIONS**
- Follow [AZ Guidelines](#) for all Arizona businesses.
- Re-open pools to regular summer season use but post safety and physical distancing guidelines.

**IMPORTANT CONSIDERATIONS**
- Prohibit parties and social gathering of any kind
- Consider pool attendants or staff monitoring the pool when it is open to residents.
- Determine staff requirements for monitoring and cleaning.
- Limit hours of operation to allow for cleaning and sanitizing.
- Consider closing restrooms and require residents to use restrooms in their own apartments.
- Consider options if residents do not follow guidelines and physical distancing.

### Re-Opening Resident Amenities – GYMS

**PHASE 1 – OPEN MAY 13TH**
- Follow [AZ Guidelines](#) for gyms and fitness centers.
- Follow [AZ Guidelines](#) for all Arizona businesses.
- Remove towels and hydration systems (residents bring their own).
- Ensure each community has a substantial supply of cleaning and sanitation supplies including gym wipes, PPE (Masks) and cleaning supplies for staff and residents.
- Create resident communication: setting up guidelines, expectations, warnings and disclaimers.
- Create signage for fitness centers.
- Work with legal counsel on signage, notices, communication and waivers.
- Work with legal counsel to determine liability and risk.
- Open with limited equipment and reduced occupancy to allow to physical distance (at least 6 ft).
- Limiting use of cardio machines to every other machine to maintain acceptable physical distancing between users.
- Limit the time (30 minutes) on cardio machines.
- Encourage residents to clean equipment before and after (recommend supply sanitizing wipes).
- Limit the hours of operation to allow for additional cleaning and sanitizing.
- Residents should be encouraged to conduct their workout and exit the facility without delay.

**PHASE 3 – JUNE, JULY OR LATER DEPENDING ON CONDITIONS**
- Follow [AZ Guidelines](#) for all Arizona businesses.
Best Practices for Re-Opening

- Re-open fitness centers to regular use, but post safety and physical distancing guidelines.
- Continue to limit equipment or occupancy as needed.

**IMPORTANT CONSIDERATIONS**

- Consider requiring masks in the fitness center
- Consider opening by appointment only and limit time
- Consider requiring residents to sign waiver. Limit access or change keys / code to have waiver signed.
- Consider offering virtual classes or classes outside with no more than 10 individuals.
- Consider air quality and replace filters more often.
- If you have locker rooms or showers consider closing them.
- Determine staff requirements – monitoring and cleaning
- Limit hours of operation to allow for cleaning and sanitizing.
- Consider options if residents do not follow guidelines and physical distancing.

Re-Opening Resident Amenities – ALL AREAS

- Follow [AZ Guidelines](https://www.az.gov) for all Arizona businesses.
- Create a disinfection plan and schedule for all areas especially high touch locations / surfaces.
- Cleaning and disinfecting should be frequent (multiple times per day) with an emphasis on high touch, frequent contact with hard non-porous surfaces (elevators, elevator buttons, door handles, light switches, bathrooms, vending machines, stair handrails, gym equipment, gate latches, laundry rooms and pool seating, etc).
- Place signage at any entrance to instruct patrons (residents, guests and prospects) that they cannot enter if they have been diagnosed with COVID-19, had symptoms of COVID-19, or had contact with a person that has or is suspected to have COVID-19.
- Place signage at any entrance and throughout the facility to instruct patrons of the enhanced sanitation procedures, physical distancing requirements, and other instructions and limitations, as applicable.
- Remind residents to stay in their home if not feeling well, wash hands, cover coughs, only socialize with only members of their household.
- Remind residents to wear a face covering when traveling through common areas of the property where it may not be possible to maintain physical distancing, including to and from the pool, barbeque area, and fitness center.
- Limit occupancy to enforce physical distancing requirements and prohibit gatherings.
- Utilize contactless forms of patron check-in.
- Provide hand sanitizer stations for patrons and encourage use.
- Provide sanitation wipes at or near each piece of equipment and require users to wipe down the
Best Practices for Re-Opening

- Require team members to watch common areas including pools and fitness centers to enforce the physical distancing, equipment wipe-down policy and conduct additional cleanings during times when equipment is not being used.
- Enforce physical distancing and prohibiting congregating between non-cohabitating patrons.
- Require team members to clean and sanitize bathrooms and common areas regularly throughout the opening hours in addition to the regular cleaning schedule.
- Consider or increase overnight professional cleaning and disinfecting of pool areas including furniture, fitness centers, office maintenance office / storage, other common areas.
- Consider air quality, air filtration systems and replacing filters more often.

Potential Long-Term Operational Changes

CLEANING PROTOCOL

- Outsource cleaning of all units.
- Frequent deep cleaning of common areas and amenities.
- Increased safety guidelines for team members and amenities.
- Implementing the use of “Fogging” devices to sanitize units, common areas and all surfaces instead of “Wiping Down” with more traditional cleaning supplies.

SUPPLY STOCK

- Maintain a larger stock of cleaning supplies and PPE for potential public health emergencies in Fall 2020 Flu season and beyond.

VIRTUAL OFFICES

- Based on current productivity and efficiency of office staff, some companies are considering maintaining partial or full remote working options.

VIRTUAL AND SELF-GUIDED TOURS

- Continue use of virtual and self-guided tours as an option for prospective residents even as leasing offices open to the public.
Best Practices for Re-Opening

AMA COVID-19 Resource Page


AMA Associate Members with PPE – At Your Services

- https://www.azmultihousing.org/covid-19-vendors