Re-Opening Office and Amenity Spaces

Disclaimer: The information provided in this document does not, and is not intended to, constitute legal advice; instead, all information in this report is for general informational purposes only. Information in this document may not constitute the most up-to-date legal or other information. Viewers of this material should contact their attorney to obtain advice with respect to any particular legal matter. No viewer of this material should act or refrain from acting on the basis of information in this document without first seeking legal advice from counsel in the relevant jurisdiction. Only your individual attorney can provide assurances that the information contained herein – and your interpretation of it – is applicable or appropriate to your particular situation. Use of, and access to, this document does not create an attorney-client relationship between the reader and the National Apartment Association (NAA) or any contributing law firms. All liability with respect to actions taken or not taken based on the contents of this presentation are hereby expressly disclaimed.

Purpose: To assist National Apartment Association (NAA) members with safely and effectively re-opening office and community amenity spaces.

Applies to: Regional managers, property managers and all other NAA members involved in onsite operations.

Overview: Large gatherings are a new concern for multifamily housing operators. Pools, fitness centers, clubhouses, dog parks, theaters, playgrounds and other amenities frequently attract large groups, a scenario at odds with current guidance from the Centers for Disease Control and Prevention (CDC) concerning stemming the spread of the COVID-19. While the excitement of re-opening amenity spaces is palatable among many residents, it’s important to proceed with extreme care and caution.

The safety of employees and residents should be at the forefront of decision-making. Recently released guidance from the White House’s Guidelines for Opening Up America Again lays out a three-phase program for reopening businesses. However, multifamily housing is unique and other advice to take into consideration should include recommendations from health officials, local jurisdictions and relevant authorities and organizations as they release and refine their own reactivation plans. In addition to these sources, this document is meant to serve as a basis for guidance around re-opening office and amenity spaces within your own company.

Guidance:

1. **Leasing Office** – For leasing offices, staff should follow all municipal, Centers for Disease Control and Prevention (CDC) and local health department protocol concerning opening to the public. Consider creating areas for greeting guests and waiting areas inside the clubhouse/leasing office. Inside the office, social distancing markers should be placed six feet apart. Staff members should be required to wear masks per CDC recommendations when interacting with others. Space out workstations for office staff and rearrange or remove seating to accommodate safe distancing for residents and prospects. Limiting the number of onsite staff that works at one time or limiting office hours may remain in place until the need arises for increased staff or restrictions are reduced. Consider staggering shifts (alternating days for paired teams) for employees until it’s advisable to return all employees.

Prospective residents will be allowed in, but the number will be limited depending on available personnel and the size of the leasing office. Prospects/residents may not be required but should be encouraged to wear mask per CDC recommendations. **Some jurisdictions have required masks in**
public spaces (e.g., Illinois, Connecticut and Massachusetts). Prospect-tour policies may vary, with many companies continuing to offer an option of “self-guided” tours in addition to in-person standard tours, of which the opportunity may be limited. Others will continue to offer virtual tours if appropriate technology is in place to enable this option. Sharing a golf cart is not advised when adhering to the six-foot rule. Prospects will need to use their own vehicles to tour the property if a walking tour is infeasible.

2. **Clubhouse** – If your clubhouse has been unoccupied for seven or more days, it will only necessitate normal routine cleaning to reopen the area, as the virus that causes COVID-19 has not been shown to survive on surfaces longer than one week, according to the CDC. Because occupancy for resident events should be limited to fewer than 10 people at a time, it is recommended that virtual events are held instead until these restrictions are reduced or removed at the federal and state levels. Consider reducing operating hours so proper cleaning can take place.

A strong focus by staff should be placed on sanitizing work areas, public areas and commonly touched places (door handles, elevator buttons, etc.) and placing hand sanitizers in common areas. The U.S. Environmental Protection Agency (EPA) released a list of EPA-registered disinfectant products that are qualified for use against this strain of coronavirus through the agency’s Emerging Viral Pathogen program. The CDC recommends reducing the risk of exposure by making long-term changes to practices and procedures to include reducing the use of porous materials used for seating, leaving doors open to reduce touching by multiple people, opening windows to improve ventilation and removing objects in your common areas such as coffee-creamer containers. If food and/or drinks are offered as refreshments for residents and prospects, consider only offering pre-packaged foods. Elevator button panels should be disinfected at regular intervals throughout the business day.

3. **Fitness Center** – Opening your fitness center should first address strength and cardio areas, where you can ensure proper social distancing will be observed. Gyms may need to be reconfigured to increase the space between equipment, and capacity limitations should be considered, as well as alternating machine use to maintain rigorous cleaning schedules. Placing markers on the floor to indicate where residents can stand to remain six feet apart will assist in reinforcing the importance of social distancing, especially if your fitness center typically experiences high traffic.

Send an email to residents with new guidelines to include social distancing information, hours of operation, where to sign-up, if applicable, and guidance on sanitizing equipment after use. Because apartment gyms are rarely staffed, buildings would have to trust residents to properly clean the equipment, and this can prove challenging. It is suggested for a contracting company to come in weekly at minimum for a deep cleaning of fitness facilities. Increasing the frequency of daily cleanings is advised and can be achieved by scheduling gym closures throughout the day to allow cleaning crews or your maintenance team to thoroughly clean the equipment and floors. It may be best in the early stages to eliminate 24-hour gym availability to ensure that fitness centers receive a complete cleaning at the end of each day. To avoid risking your warranty coverage, be conscious of the guidance from your equipment manufacturer and their recommended procedures for cleaning and disinfecting. Following instructions ensures that the maintenance schedule is in line with maximizing product life.

4. **Swimming Pool** – According to the CDC, there is no evidence that the virus that causes COVID-19 can be spread to people through the water in pools, hot tubs, spas or water-oriented play areas. Proper operation and maintenance of these facilities should render the virus incapable of spreading in the water. In addition to ensuring water safety and quality, owners and operators should follow the interim guidance for businesses and employers for cleaning and disinfecting their community facilities. The pool water is constantly being disinfected by chlorine, but there may be a need for extra disinfecting of items outside of the pool, such as:

   a. Door handles inside and outside
   b. Handrails and pool ladders
c. Restroom doors, faucets, sinks, soap and paper towel dispensers, toilet flush levers and baby changing stations

d. Drink dispensing equipment and water fountains

e. Light switches

f. Telephones and emergency shut-off buttons on spas, dials for spa jets

In addition to posting notices that the social distance policy is to be observed at the pool, pool owners may want to limit the number of people allowed inside the pool area at any one time. Residents may be assigned specific days to use the pool and must stand or sit in spots marked out on the surrounding pool deck, maintaining safe distances. Limiting the length of time residents can stay at the pool increases the total number of people that can use the pool each day. The best way to execute this is to designate blocks of pool time available for people to visit the pool each day.

An additional consideration is the removal of some deck furniture to further encourage social distancing. Because pool furniture cannot be reliably disinfected between each user, consider having residents bring their own chairs each time they come to the pool. If you choose this option, the pool furniture can be stacked and locked up with a coated cable and padlock. There has been discussion among owners in certain municipalities about needing to hire pool attendants to help monitor social distancing, so it is advised to check on all legal requirements ahead of any openings.

Enforcing occupancy standards and social distancing regulations may be the most difficult aspect of operating a pool this year. There are several options to consider for handling this situation, depending on budget, available technology and staff time.

a. Use technology tools to offer residents access to an online scheduling platform to reserve time at the pool

b. Post occupancy limitations and allow residents to self-enforce this rule

c. Pool staff can limit the number of people on a first-come, first-served basis

d. Set hours or days for use by specific groups based on their address or last name, for example

5. **Routine Maintenance** – Some communities will begin completing routine service requests again, if they haven’t already started. Strengthened communication between office and maintenance teams is critical. The employee taking service requests should ask detailed questions about the issue in the resident’s apartment. This will assist the maintenance team to bring only the tools and parts they need to complete a task, thus limiting the equipment they need to disinfect after each job. Prior to a member of the maintenance team entering an apartment, it is advised to ask the resident three questions as outlined in the COVID-19 protocol, to include:

1. Has anyone in the apartment home traveled internationally?
2. Does anyone in the apartment home have a fever?
3. Is anyone in the apartment home taking care of someone has been sick?

If the answer to any of the above questions is “Yes,” the team member can politely refuse to enter the apartment home. The organization can decide if the work should be completed while the resident is not in the home or if it should be rescheduled for a later date after the isolation period has passed.

Work orders should be prioritized based on the level of urgency with the understanding that there is a limit to the number of service requests the maintenance staff can safely handle daily. Management should communicate with residents when to realistically expect a member of the maintenance team to address their request. The maintenance team should follow COVID-19 protocol with regard to CDC guidelines while utilizing proper PPE.

6. **Outdoor Spaces** – Outdoor areas generally require normal routine cleaning and do not require disinfection. The targeted use of disinfectants can be done effectively, efficiently and safely on outdoor hard surfaces and objects frequently touched by multiple people. The CDC recommends not
using playground equipment because it is typically situated in lower traffic areas and is not regularly cleaned properly. It may be best to resume opening outdoor spaces such as playgrounds by following local park openings in the local area. Community gardens are safe to open so long as social distancing rules are observed.

7. **Laundry Room** – Public laundromats are considered essential businesses that have remained open during the pandemic, so your laundry facility should be open for those who do not have access to clothes washers and dryers inside their homes. Maintaining six feet of social distance is important because these areas typically are smaller spaces. Instruct residents to wipe down the front of the washer and dryer with disinfectant prior to their use and washing their hands after moving wet laundry to the dryer. Ask that residents do not fold their clean laundry until they are back inside of their apartment and do not shake dirty laundry for any reason, as this can transfer the virus. Laundry rooms should be sanitized on a regular daily schedule either by onsite staff or a contracted cleaning company.

8. **Liability** – As states begin to look at options for reopening, you may wonder what that means for your operations. For example, does that mean a soft reopening of your common areas and amenities at reduced capacities? As you navigate what a soft reopening looks like at your property, you may want to consider proactively taking steps to protect against possible future liability for COVID-19 exposure claims from residents and their guests; these steps may include the use of liability waivers.

   A liability waiver is an agreement between two (or more) parties, where one party, in this case, your residents and/or their guests, acknowledge the potential risks associated with participating in an activity or agreeing to receive services. By signing a liability waiver, your residents and their guests will be voluntarily relinquishing their right to sue your company for any damages or injuries that arise from participating in an activity or receiving services, such as using amenities or participating in property events or services. Liability waivers are only meant to limit your company’s exposure to lawsuits; they do not prevent claimants from filing lawsuits against you.

9. **Signage** – Legible signage should be placed in all shared common spaces. Signage may include floor markings to assist with social distancing requirements. Fitness center signage should include who is responsible for cleaning equipment and, if residents are responsible, it should clearly state the location of the cleaning products, and should be regularly replenished by onsite staff. There should be signage in all common areas outlining hours of operation and occupancy restrictions to include maximum occupancy allowed during this pandemic. If PPE such as face masks are required of all visitors, please note that on signage as well. Having signage that clearly communicates information assists with proper observance of protocol and enforcing consistent standards to all who enter.

10. **Technology** – With respect to the administrative time of the onsite staff, many companies are choosing to have residents use an app for making reservations for amenities to guard against inappropriate crowding. This will help to keep attendance restrictions in place, even after-hours when a staff member is no longer present. Resident communication tools such as community apps can help with the reservation process. If your community has cameras, this is another way to enforce occupancy guidelines.

   To continue limiting unnecessary exposure, an emphasis should be placed on opportunities to leverage technology in the workplace and while interacting with residents. This includes the ability to renew leases and pay rent online, virtual meetings versus face-to-face, submitting resident service requests and holding virtual events to keep residents engaged from a distance.

11. **Personal Protective Equipment (PPE)** – CDC recommendations, along with federal and local government regulations, dictate appropriate PPE to be worn by employees. PPE, along with appropriate training for use and disposal, should be made available to any employee upon request. PPE has become scarce during the COVID-19 pandemic. Companies are ordering sufficient PPE for all onsite employees, visitors and prospects. Some companies are getting creative and using the
need for the most common PPE, masks, as an opportunity to look professional and bring brand awareness by placing their property or company logo on the masks. Regardless of the option employed, it is important to ensure you have a sufficient supply of PPE available. For more information on PPE, please see Best Practices for Personal Protective Equipment.

Related Links and Forms

CDC Water and COVID-19 FAQs
The Pool Management Group Guidance
Cleaning and disinfecting your facility

About NAA

The National Apartment Association (NAA) serves as the leading voice and preeminent resource through advocacy, education and collaboration on behalf of the rental housing industry. As a federation of more than 150 state and local affiliates, NAA encompasses over 82,000 members representing more than 10 million apartment homes globally. NAA believes that rental housing is a valuable partner in every community that emphasizes integrity, accountability, collaboration, community responsibility, inclusivity and innovation. NAA thanks its strategic partners Maintenance Supply Headquarters a Lowe's Company and Yardi. To learn more, visit www.naahq.org.

###