

Resident Exposure COVID-19

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 educate National Apartment Association (NAA) members about the challenges associated with COVID-19 (also known as coronavirus) in the event a resident tests positive for the virus.

Applies to: All NAA members who are involved in managing apartments.

Overview: The Centers for Disease Control and Prevention (CDC) and World Health Organization (WHO) are closely monitoring the outbreak and spread of a novel (meaning new) strain of coronavirus (COVID-19). NAA understands that affiliates and members will have concerns about how apartment communities should address the virus, specifically suspected and confirmed cases of COVID-19 in your apartment community.

It is important to recognize that NAA, its affiliates and individual members are not health care professionals. The CDC and other qualified health officials should continue to be the primary source of information and guidance. NAA is offering guidance for the industry, as well as insight and information from officials and experts.

Guidance:

- 1. Confirmed Exposure** - If you learn a resident has been diagnosed with or shows signs or symptoms of COVID-19, refer to your company policies on infectious diseases. Immediately notify your supervisor and consider contacting the local health department for guidance regarding appropriate measures to take. Instruct maintenance staff not to enter the unit; rather, await for specific instructions from local health officials. Defer to the local health department's guidance when communicating to staff or other residents about the situation. Any disclosure made to the community must be done in compliance with privacy laws, and the information provided should not identify the name or location of the resident.
- 2. Resident Communication** - Communication is as critical as preparation, and it's important to be factual and transparent when sharing information with residents. While residents are not required to inform you of a confirmed COVID-19 diagnosis, you may ask your residents to consider notifying

management in the event they do test positive so that appropriate preventative measures can be taken to limit exposure to other residents and community staff. You do not want to incite panic, but residents should be aware that the virus has been identified within the community (should you choose to disclose the information), and that measures consistent with health officials' guidance will be followed. Continued and increased education at this point is advisable. If you learn of a case on your property, consider posting a notice and emailing the community. Because of privacy laws, information to include names, unit numbers and health information must remain confidential. The owner or manager should follow health officials' guidance, especially in the case of a quarantine.

3. **Cleaning procedures** - As information is updated daily for COVID-19, recommendations are changing accordingly. Precautions should be taken to prevent the spread of COVID-19 by following guidance provided by the CDC, including regularly disinfecting common touchpoints such as doorknobs, tables, desks and handrails. The Environmental Protection Agency (EPA) has issued a list of effective disinfectant products to reference. Specific attention should be made to common entry points and exits such as elevators and stairwells. In addition, closing and providing limited access to common areas and amenity spaces should be considered.
4. **Biohazard Remediation** – A deep cleaning of common and high touch areas should be conducted following a confirmed case of COVID-19 in your apartment community. The CDC offers a variety of recommendations regarding environmental cleaning and disinfection on a large scale and you are urged to follow them. However, obtaining the necessary equipment and protective gear may prove difficult for many housing providers, especially if there are many apartments. It may make sense in some cases to consider outsourcing this task to licensed contractors that have the necessary safety apparatus, cleaning products and familiarity with health regulations.
5. **Maintenance** – As previously mentioned, if a resident is confirmed to have or is believed to have COVID-19, do not direct facilities management or maintenance staff to the apartment. Consider limiting or prioritizing maintenance service requests and repairs to emergencies and other material conditions affecting health or safety. Have a plan in place for when an emergency is received that would require maintenance to enter a known area. Review with maintenance personnel proper ways of communicating items like social distancing, PPE, cleaning chemicals and other relevant procedures. As there is a period of time from exposure to symptoms, maintenance persons should always take appropriate precautions, even if residents haven't communicated as having the virus or appear well.
6. **Apartment Access** - It should be decided how entry to an apartment will be conducted should an emergency or urgent need arise. The Occupational Safety and Health Act requires employers to comply with safety and health standards and regulations promulgated by the Department of Labor's Occupational Safety and Health Administration (OSHA) or by a state with an OSHA-approved state plan. Not providing an appropriate action plan can lead to significant financial and/or legal liability, such as class action lawsuit. OSHA has developed Guidance on Preparing Workplaces for COVID-19. By following existing OSHA standards, you are contributing to the reduction of employee exposure to COVID-19.
7. **Legal Considerations** - Legal issues may arise during this time for property managers. It is important to be proactive and evaluate potential scenarios to stay ahead of the spread of the virus. Your property could be exposed to liability from the circumstances surrounding COVID-19, and you should be prepared to manage legal scenarios that may arise. For additional legal guidance in this area, contact your local counsel that specializes in the appropriate field.
8. **Media Guidance** – NAA recommends that incoming media requests be directed to the CDC and/or local health officials, who are better qualified to answer their questions at this time. Ensure your office

has proper contact information for the local health authority and/or the best CDC resources for handling queries from local stakeholders. NAA recommends a holding statement be developed. An example: "We appreciate your call. We are following recommendations and guidance from federal and state officials. Your questions are better directed to [Local Health Official] or the CDC, who are the best positioned to comment on this situation."

Related Links and Forms

[What you need to know about Coronavirus Disease 2019 \(COVID-19\)](#)

[Guidance For Dealing With The Coronavirus](#)

[Environmental Cleaning and Disinfection Recommendations](#)

[COVID-19 Resident Template Letter](#)

[HIPAA Compliance and COVID-19 Coronavirus](#)

[Sample Infectious Disease Control Policy](#)

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 and Yardi. To learn more, visit www.naahq.org.