



Memorandum

From: Charles H. Greenthal Management Corp

Date: March 12, 2020

Re: Update on COVID-19 for Cooperatives & Condominiums

As many are aware, the number of positively identified Coronavirus cases has been increasing in New York State and New York City daily. Everyone in the city has been asked by the CDC, WHO, NYS Department of Health, the Mayor and the Governor “to do their part” to take common sense precautions to help prevent the continued spread of the Coronavirus.

While, like everyone else, Coop & Condo Boards, care about the health and safety of their friends and families, it is important to note that they also have a fiduciary responsibility to their fellow residents and owners to act responsibly and follow the advice of the CDC and NYS DOH, in the face of this unprecedented outbreak.

The purpose of this memorandum is to aid in these efforts, by providing recommendations Board Members may want to incorporate into their emergency response initiatives.

Monitor & Follow Direction of Health Care Professionals: First and foremost, we strongly recommend Boards closely monitor and stay abreast of new developments and information shared by the CDC and NYS DOH. Listen to the professionals leading the charge in the fight against this virus. If buildings are directed by health authorities to take certain actions – those actions should be followed, and promptly.

Cleaning & Disinfecting: in partnership with your management company, create a comprehensive and aggressive cleaning program, to wipe down all public areas and high traffic surfaces including elevators, door handles, landings, banisters, common equipment (e.g. gym equipment, items in communal rooms etc.). The NYS DOH has released formal cleaning protocols, specifically designed for residential buildings dealing with the COVID-19 threat. For more information see the attached summary memo we’ve prepared outlining the NYS DOH’s “*General Disinfection Guidance for Commercial & Residential Buildings*”. It is strongly recommended that Co-op and Condo Boards and their managing agents maintain a log of activities documenting the cleaning program being followed by staff.

Contact Insurance Brokers: Boards should contact their insurance brokers/carriers and confirm what portions of their plans, if any, will cover any losses incurred due to COVID-19 related claims. The Carriers may also advise boards what actions, if any, need to be taken to secure and maintain coverage.

Social Distancing: in the interest of mitigating risk exposure, Boards may want to consider holding regular and special board meetings remotely and postponing any upcoming annual meetings. Boards may also consider closing non-essential public spaces in the buildings, such as fitness centers, pools, playrooms, or community spaces, for the time being. This would have the added benefit of eliminating potential sources of community spread while also reducing the cleaning workload for building staff – allowing them time to focus on more high-traffic areas. At the very least, the Board should allow signs to be posted, warning of the risks of the virus and instructing users to wipe all equipment or other services after use.

What to do should a tenant take ill: If the Board learns that a resident has been diagnosed with COVID-19, or shows symptoms consistent with the viral infection, they should privately confirm with the individual that he or she has altered appropriate health authorities (such as NYS DOH, CDC) and obtain confirmation of the same and confirm that they will not leave their apartment for the amount of time specified by the relevant healthcare authorities. While Boards do not have the ability to direct the behavior of a resident, it is very important to know the resident's intentions to effectively and accurately communicate with other stakeholders in the building (cleaning crew, those who may have been exposed via casual contact etc.)

Privacy considerations are paramount and naming the infected individual or providing information on that individual's location or unit should be avoided at all costs. That said, while we acknowledge remaining in compliance with privacy regulations (HIPPA) is important, we believe the Board has a fiduciary responsibility to alert building occupants and staff there has been a confirmed "positive" case in the building. Any alert should simply specify that a person is under self (or mandated) quarantine and they are following isolation protocols. Should the Board learn of such an instance, they should inform building management so that proper steps can be taken to disinfect applicable areas and inform those who may have been exposed (keeping in mind they should remain vigilant to ensure HIPPA laws are adhered to). Board Members should be reminded, that regardless of any background they may have in the medical field, they should not speak with authority on public health matters or individual cases, and all should rely on the CDC/NYS DOH and professionals responding to the outbreak for guidance.

The proper authorities (NYS DOH/CDC) should be notified, ff for any reason the infected individual is not following proper isolation protocols (which means not even leaving to toss out the trash).

Prepare for Possible Dissention: Refusing to identify the infected resident may cause some dissention among other residents, it is our understanding (*based on CDC, DOH guidelines*) that as long as the individual is following isolation protocol, and the disinfecting protocols have been followed, there is little to no risk of contaminating others from one apartment to another. It should be further noted that, currently there is no known instance of the Coronavirus spreading between units via the HVAC system.

Fiduciary Responsibilities: Boards should take steps to ensure that infected or quarantined residents are complying with all applicable isolation protocols, as directed by the CDC/NYSDOH or the medical professionals overseeing their monitoring and testing. Boards and Management should share information with other residents regarding the status of an infected individual (without providing their many or any identifying information, in compliance with HIPPA privacy laws), to allow building staff and residents to take appropriate precautionary steps.

Please know that Charles H. Greenthal Management Corp., takes this outbreak seriously, and is doing all it can to keep tenants/shareholders/owners/boards and employees informed of updates as they become available. We are actively monitoring the Center for Disease Control (CDC), World Health Organization (WHO), Office of Emergency Management (OEM) and New York State Department of Health (NYS DOH) daily for updates regarding the spread of the Coronavirus, additional advice on containment and precautionary measures, and the State of Emergency.

We invite you to contact your property manager for more information. Since this situation is ongoing, with changes occurring daily, we strongly recommend you check the CDC and NYSDOH websites daily for updates and preventative measures recommendations.

For CDC Updates, go to www.cdc.gov/coronavirus/2019-nCov

For NYS Dept. of Health Updates, go to <https://www.health.ny.gov/diseases/communicable/coronavirus/>