

CAI Northern Ohio Chapter

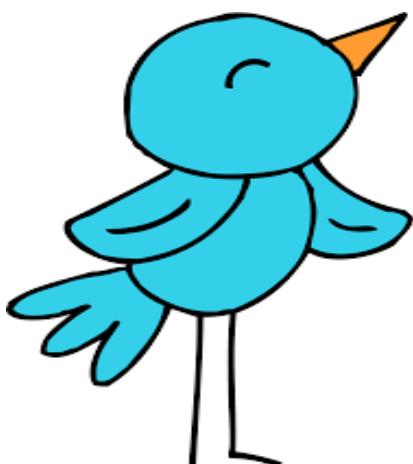
Quarterly Newsletter

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MESSAGE FROM THE PRESIDENT

Spring has finally arrived in Ohio. And with it comes the challenge of preparing for Summer. The ongoing pandemic certainly doesn't make planning easy.

The article on Opening and Operating Pools provides some great ideas on how to gently remind residents about the association's protocol for pool use.

Paws on the Pandemic provides some insight on pet friendly communities, and the importance of having reasonable pet rules in place (if applicable)

We continue to encourage you, your managers, and your staff members to attend our CAI functions. If you have any suggestions on how to improve these events, please let our executive director , Eva, know.

Lisa Frisch, President
Northern Ohio Chapter
Community Associations Institute

Opening and Operating Pools During COVID-19

By Laura Otto

Reprinted from *Community Manager*, May/June 2021

More than 97% of community associations have a pool, according to a recent CAI survey on pool operations. With summer underway, association boards and residents are considering if pools can open during the COVID-19 pandemic as more people become vaccinated against the disease.

Nearly 40% of association pools didn't open in 2020 because of COVID-19 concerns, according to the survey of nearly 1,000 CAI members. An overwhelming 60% cited fear of exposure to legal liability as the main reason for keeping the pool closed for the entire summer.

Opening a pool is no simple task. Boards must base their decision on the community's unique needs and whether they have the resources to comply with guidelines from the Centers for Disease Control and Prevention, state mandates, and local health orders, says Matt D. Ober, partner at Richardson Ober DeNichilo in Pasadena, Calif., and a fellow in CAI's College of Community Association Lawyers (CCAL). These include proper signage, paying staff to serve as pool monitors, and frequent cleaning and disinfecting of high traffic areas.

Ober recommends that communities implement protocols for opening and operating their pools and to adopt them as rules to make them enforceable.

More than half of survey respondents said their association's pool would open as regularly scheduled this summer. Roughly 70% will require residents to socially distance when in the pool and surrounding area, and 68% will display signage warning of the risk of COVID-19 transmission.

Can associations ask residents to provide proof of vaccination against COVID-19 before they use the pool or common areas?

According to Ober, there are several concerns about requiring that a resident disclose they were vaccinated because of their right to not have their medical history made public or disclosed to third parties. Although privacy laws do not apply to private entities such as community associations, expectations of privacy and confidentiality must be considered.



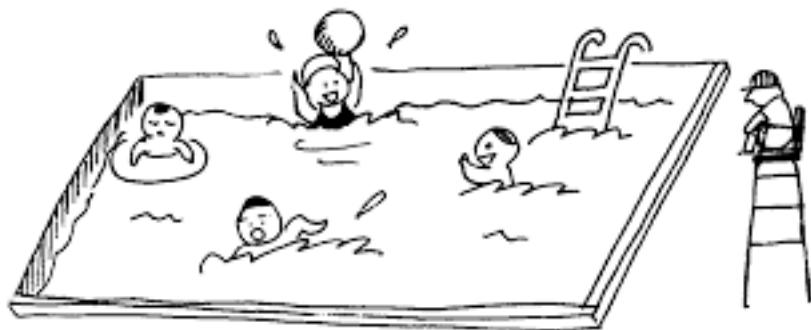
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Ober says it would be “difficult, if not impossible” for a resident to prove they contracted COVID-19 because the association opened the pool. However, “opening the pool and not following proper protocols or not requiring that people comply with rules could subject the association to liability.”

CAI advocates for limited liability laws for community associations that follow COVID-19 public health guidelines.

Suggested Protocols for Opening and Operating Community Pools this Summer:

- Place signage at pool entrances reminding residents of pool rules and to follow social distancing
- Limit pool use to certain hours to better control the number of residents and avoid overcrowding. Communicate that pool use and hours are subject to change to comply with COVID-19 protocols.
- Have residents sign up to use the pool during scheduled intervals (30 minutes or an hour, for example). Require signups by a certain time the day before
- Consider opening the pool for designated lap swim only. If people cannot do laps and want to use the pool, designate separate swim times.
- If there are restroom in the pool area, ensure the facilities have full hand sanitizer and soap dispensers and are cleaned and disinfected frequently.
- The pool area should be open for pool use only. In addition, guests should not be permitted in the pool or pool area.
- Consider removing or taping off some of the pool area furniture so chairs left in place are 6 feet apart to allow swimmers to rest after they leave the pool.



Paws on the Pandemic

By Pamela Babcock

Reprinted from *Common Ground* July/August 2021

The pandemic brought one of the most challenging years in recent history, but one of the biggest upsides of the stay-at-home orders was the wave of people who adopted pets.

As people were isolated and looking for companionship to help improve their mental and physical health, pet adoptions soared. Canines topped the list of animals finding homes. In a January 2021 survey, Rover, a pet-sitting website, found that nearly half (49%) of people living in the U.S. said they got a new dog during the pandemic. Better yet, 64% of all animals were adopted from a shelter or rehomed from another family.

Pet-related issues can be challenging for community associations in the best of times, much less in an anxiety-inducing year of uncertainty that has changed just about every aspect of our lives

For some communities, the growing number of pets – especially dogs – has brought more complaints about people not picking up after the animals, not leashing them, allowing them to bark and whine excessively, and more. Some communities have upped fines and tweaked pet rules while others have fast-forwarded plans to install dog parks. Some are committed to better educating pet owners about rules and even trying to help them prepare their pet for when they return to work.

As we continue to adjust to the new normal, many say the influx of animals is creating more of a sense of community because owners who are walking dogs more and gathering at the dog park make the neighborhood feel more outgoing and sociable.

Attorney Abby Volin, president of animal accommodation firm Opening Doors, says the fact that so many more four-legged friends may be calling your community home provides the perfect opportunity to rethink pet policies and build more pet-inclusive communities.

“Don’t just punish people and don’t just use the same old polices because ‘that’s the way we’ve always done it,’” Volin says. “Really use this as an opportunity to reevaluate your pet policy and ask, ‘What are your goals? And, are your policies serving your goals?’”

Draft and implement policies that encourage responsible pet ownership, create a safer environment, and hold pet owners accountable, Volin says. “Take a survey of your community. What’s working and what isn’t when it comes to pets?”



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THE GOOD, THE BAD, AND THE SMELLY

For many community associations, an influx of pets has highlighted pressure points that were already there. "If you already had a poop problem, well now you'll have a bigger poop problem," Volin says.

Gina Shanahan, CMCA, vice president of association management for First-Commercial, manages four condominium complexes in South Tulsa, Okla., totaling 600 units. Like many others, Shanahan has no idea if people now have other species such as cats, birds, hamsters, and more, but she has seen more dogs and, with that, more problems.

Many community documents limit the size and number of pets, but these restrictions are being ignored, Shanahan says. "When the board pushes an owner to comply, they get the pets registered as service or emotional support animals, and the issue has to be dropped. There are many more dogs running loose, and there is a great deal more feces."

Shanahan says her communities have amended polices to prohibit pet-sitting and animal visitors. Fines for not registering dogs with the county, not picking up after an animal, and dogs exceeding the weight limit have been increased. Meanwhile, plans to build a fenced-in dog park at each property have been accelerated.

"This has been discussed in the past, but with the large number of additional dogs since the pandemic, we are needing to make it happen," Shanahan says.

Joan Kiesow, a board member at Whitridge Homeowners Association in Fairport, N.Y., says a lot more pooches are calling the community home. The growing canine cadre at Whitridge and in surrounding communities has led to "a marked increase" in gripes about dog waste.

Not picking up dog feces is a longstanding issue for many community associations. While many provide bags and waste station receptacles, it's particularly offensive when someone bags the excrement and then tosses the bags in bushes or somewhere other than the trash. Kiesow says a familiar owner lament is, "I have to pick up piles of poop before I cut my lawn, and I don't even own a dog!"

Signs encouraging people to curb their dogs are springing up on lawns. Making matters worse is many people in surrounding communities walk their pets at Whitridge, perhaps because it has more greenspace. The 115-unit townhome community is surrounded by another townhome community and two apartment complexes, all of which allow pets.

Kiesow says the community has encouraged owners to adhere to the pet rules in email updates and newsletters but adds that Whitridge "does not wish to 'police' pets."



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GOOD DOGS, IRRESPONSIBLE OWNERS

T. Peter Kristian, CMCA, LSM, PCAM, general manager of Hilton Head Plantation Property Owners' Association in Hilton Head, S.C., doesn't have hard data on whether there are more pets but says the lockdown has led to a growing number of incidents involving irresponsible dog ownership.

One big problem was people leaving their pet tethered out in their yard or even outdoors off leash. "Some residents were so paranoid they would not venture out of their homes during the height of the pandemic," say Kristian, a CAI past president. Not surprisingly, security responded to more reports of excessive barking.

Meanwhile, early into the lockdown, the influx of dogs led to "very crowded" conditions on the leisure paths as people walking dogs jockeyed for space with owners who flocked to the trails for some of the only recreation available to walk, jog, or bike. Beginning in April 2020 and running through last summer, there was a spike in dog-on-dog and human-to-dog conflicts.

Hilton Head Plantation encourages responsible dog ownership with reminders in its monthly newsletter. Meanwhile, the HHP Dog Club works to promote the well-being of dogs and the community with programs that include an annual canine and human socialization activity, low-cost microchipping, behavior classes, and more.

When the stay-at-home orders were first issued, Volin, the animal accommodation attorney, produced a guide for housing providers on how to manage pets.

Among other things, she noted that even communities that don't allow pets should prepare because despite no-pet policies, they'd likely have animals in the community either through reasonable accommodations or because residents would have pets against the rules. She recommended instituting a forgiveness policy because people were coping the best they could and getting pets was helping them keep their sanity.

As we adapt to the new normal, here are some other ways Volin says you can create a more pet-inclusive community:

- Make sure pet rules are clear, fair, well-communicated, and hold residents accountable while providing an opportunity to do things that will make residents happy and help them be better pet parents.

- Consider hosting social activities for people and their pets. Invite a dog trainer to run classes in an outdoor area of your community or a cat behaviorist to give a lecture in your clubhouse or meeting room.

- If you don't already have dog waste stations or enough in your community, get them. "You have to make it really easy for everyone to do the right thing," she says. If people still aren't picking up after their dog, consider DNA tracing, sending residents rewards for picking up after their pooches, and, as a last resort, installing cameras.



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RUFF ROUTINE

As more people return to work in offices and away from home, canine separation anxiety and the barking that usually comes with it is a very real concern, particularly for condominiums and other units with shared walls. Dogs love routine, and, for many, that routine is changing.

Lisa Bingley, board secretary at a Chelmsford, Mass., condominium association says since more residents have begun to return to their jobs off-site, noise complaints are up.

"Many are concerned for the welfare of the animals as well the disturbance it has been creating," Bingley says, adding that there's barking, howling, and crying. "It sounds like the animal is miserable."

Bingley and some pet-loving neighbors are working to educate pet owners on how to acclimate dogs to the change for the benefit of all involved.

Dogs that have been adopted since the pandemic can have issues being left alone, but separation anxiety can also affect dogs who have been in the home prior to the pandemic and have gotten used to their pet parent being home all day.

Bingley, an early childhood intervention educator who has a 3-year-old rescue Chihuahua, terrier, and beagle mix named Oreo, drafted a flyer about separation anxiety after speaking with local veterinarians and doing internet research. She posted it on the clubhouse bulletin board and is emailing it to owners who ask.

She also worked with the condominium newsletter committee to draft a pet policies reminder for the quarterly email. Among other things, it reinforces the fact that board approval is required before having a pet, that pets must be leashed in common areas, and that proof of vaccinations and an annual city dog license are also required.

Canine separation anxiety manifests through incessant barking or howling, scratching at walls and doors, and having accidents even if they are house-trained. It can be triggered when a dog is left alone after getting used to constant human contact.

If your new dog has been on your lap for every Zoom call for a year, you may have a problem.

According to the Humane Society of the United States, for minor separation anxiety, it's important to not make a big deal when you come home or leave home. Owners should ignore the dog for a few minutes when they get home, then calmly pet the animal. They also might consider an over-the-counter calming product.



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For more severe problems, the Humane Society recommends taking the following steps:

- Use positive reinforcement. Teach your dog to sit and stay, then walk to another room. When you return, and if the dog is still calm, give him or her a treat.
- Create a safe place that will limit your dog's ability to be destructive. A room with a window and "busy" toys is better than total isolation.
- Consider asking your veterinarian about drugs that might reduce your dog's anxiety, or consult a professional animal behavior specialist.
- If you can't take the dog to work or leave it with a friend or family member, consider dropping it off at a doggie daycare or kennel when you're at work.
- Don't punish the dog; it will only make things worse.

FUR FRIENDLY

Pat Licata, a board member at Hampton Lake Community Association in Bluffton, S.C., says the community of nearly 1,300 single-family homes doesn't track pets or have a pet registration policy but notes that she has seen a lot more of what a neighbor on a walk called her "new COVID dog." In general there also may be more dogs because nearly 100 new homes were completed in 2020, and many adult children with dogs are staying with their parents

Licata, who volunteered at the local animal shelter before the pandemic, says she can't help making new two and four-legged friends on her daily walks. "I love dogs, so if I see one, I usually ask to pet it," she says. Since lockdown, Licata has met several new dogs and dog owners. Fortunately, the community has 13 strategically placed dog stations with bags and receptacles for disposal. Activity is brisk at Hampton Lake's Dog Paddle Park, which features a towering, red fire hydrant, washing station, sand pit, and separate sections for large and small dogs. The play area used to be busy at 8 a.m., noon, and 4 p.m., but now people and pets are there throughout the day.

Hampton Lake is a pet-friendly community and Licata says that, in general, residents "are nice and helpful to each other." If there's a sliver lining to the pandemic, Licata thinks it's not only that more pets are finding homes but that it is helping build a stronger and more enjoyable community.

"A dog-friendly community I think is a happier, healthier community," Licata says. "It creates another way for people to connect with one another. When you're walking a dog, it's a good way to meet your neighbors and get to know people."