

As hospitals, sports associations, schools, governments and churches, amongst many other institutions and organizations, close or postpone events to avoid spreading the latest dreaded virus (COVID-19), what's a condo to do?

Condominium corporations, their boards, managers, owners and residents are under a legal obligation not to permit a dangerous condition to exist on the property. Surely section 117 of the Condominium Act, 1998 (the "Act") wasn't drafted with the prevention of pandemics and other viruses in mind, but it nonetheless is everyone's responsibility to do their part to help make their community safe.

Avoid meetings and other gatherings

In an era when every board meeting can be held via teleconference (or similar devices) – see s. 35(5) of the Act and s. 11.2 of Ont. Reg. 48/01 – why not do that instead?

Owners' meetings can also be held using proxies or, if you have the by-laws in place, electronic voting, without anyone needing to appear in person. Of course, contentious issues likely can't be resolved that way. Sometimes you have to have more direct communication. So communicate well in the first place, and be available, open and transparent in the second. It might be a good time to set up that website you've been contemplating and ensure everyone has easy access to all the information that might interest or concern them. And when you do have to meet, keep respectful distance and clean hands at all times.

You might also consider temporarily shutting down the use of common elements recreation and activity rooms, or monitoring closely their condition, which leads to the next point.

Keep things clean

If there are assets (including, for example, sports equipment) or areas of the common elements (including, for example, lobbies, elevators and doors) that will be frequently used or touched, make sure they are properly, and regularly, cleaned and disinfected. Do it a bit more than usual.

Also, make sure that the staff or contractors who are responsible for that work are both personally protected and protect others. They should probably wear medical masks just as a precaution, and certainly gloves. And if someone is feeling sick, don't make them work through it anyway.

Care for your neighbours

Whether your condominium community is populated primarily by retired folks, by young urban professionals, by that inbetween class of couples and young families, or by some combination of all of the above, it's more than likely that *somebody* there is going to be sick or was potentially exposed to COVID-19 due to recent travel or other interactions, and might have to be isolated or quarantined; it's more than likely that *somebody* there will have a suppressed immune system or some other condition that makes them especially susceptible to a dangerous virus for which there is no known cure as yet; it's also more than likely that somebody in your community is probably scared of those things, even if they don't really need to be, or has a family member or other loved one at risk for whom they are feeling anxious or afraid.

In the best condominium communities, people care for their neighbours. They allow themselves to be aware of their needs and to offer support when it is wanted. This isn't a legal duty, but it is the right thing to do.

If you have questions about your legal responsibilities in relation to COVID-19 or any other matters, don't hesitate to seek sound legal advice.