

Opinion from a “Stay-At Home Pursuant to Emergency Order of the Governor” attorney:

The **scenario** is:

A hospital worker who volunteered to help treat patients who may have COVID-19 seeks approval from his/her HOA to be able to stay in a trailer on his/her property. This essential worker needs to self-isolate in his/her family's trailer, parked in their driveway, to protect the worker's children and/or family members while still being able to see them through the windows of their home.

The worker knows that having the trailer parked in their driveway for more than 72 hours is against HOA policy, but thought that if there was ever a time for an immediate exception, this would be it.

The HOA Board disagreed.

Opinion: These are not normal times and granting this type of exception has little risk of setting a precedent outside of the time period of the current pandemic. This exception should be granted for the good of the overall community that this worker serves in his/her capacity as an essential worker. To guard against any concern about setting negative precedent, the Board of Directors could issue a letter to the owner or distribute a community-wide policy stating that it will make limited exceptions to certain rules as a result of and during the COVID-19 pandemic. The Association needs to prioritize the health and safety of the family over the potential unattractiveness of an RV in the driveway.

The information contained in this statement is the opinion of only one attorney. You should consult your attorney or other association professional before taking action or failing to take action regarding a similar situation.