



Simplified Self-Management

HOW-TO....

3B. DEVELOP EMERGENCY

PROTOCOLS

In this packet, you will find the following topics that are specific to this How-To process:

- A. Introduction**
- B. AAI Forms List**
- C. Step-By-Step Instructions**
- D. Next Steps**
- E. Resources**

A. INTRODUCTION

More than any other aspect of managing an association, the occasional serious emergency is the one event that may cause the most damage to the property and financial devastation to the budget. Without a policy in place, and a protocol that all board members and owners are aware of, it may be impossible to recover from such devastation. Many unprepared associations have suffered for years afterward.

To prevent this from happening to your property, an emergency protocol must be established in advance, utilizing the resources of a well-planned operations procedure and it must be communicated completely so that all parties know how to react at the proper time. The AAI step-by-step process of creating an Emergency Protocol for your Association will help the Board protect the property, save the Board and owners from the effects of crisis management, which is the end result of poor planning. The final reward: minimized damages and sound financial management.

By following the steps in this How-To by AAI, you will develop the necessary protocols to ensure the best possible safe and efficient means to protect your property under most emergency circumstances:

- 1) Obtain Owner Emergency Information
- 2) Consider Possible Emergencies Applicable To Your Association
- 3) Determine All Emergency Shut-Offs and Document Them
- 4) Troubleshooting Options For The Self-Managed Association
- 5) Emergency Protocols For Board/Manager
- 6) Emergency Instructions To Owners
- 7) After The Emergency

B. AAI FORMS LIST:

Please review the List of Forms and Usage. Every Association is different; therefore, you should customize these forms to meet your Association's specific needs. Please note that there may be information in the Header & Footer sections that require your customization or deletion prior to distribution.

Summary of Forms Needed for this How-To are: FORMS 3.OperMan_F9-10

And, from Category 2-Management Transitions: FORMS 2.MgmtTrans_F2-3

C. STEP-BY-STEP INSTRUCTIONS

Refer to your Summary Sheet from the Training Session and/or read any applicable sections in your Association's Declaration/Bylaws before getting started.

1) Obtain Owner Emergency Information: As a first order of business, the Board needs to consider the many issues that can go wrong at any given moment. With the dynamics of personalities in the building, mishaps can happen behind closed doors. Owners may not be home when that pipe bursts, or toilet leaks, or gas escapes from the stove. Carelessness can contribute to the endangerment of not only property, but people as well. Access to units is crucial, time is of the essence and moments lost can mean damage to property, both personal and common elements.

The first crucial step is to have quick access to owners and, in their absence, an emergency contact person that can get to the building and enter the unit quickly. The use of the *Owner/Resident Form* and *Owner/Resident Roster* (*see Category 2-Management Transitions*) will assist the Board in filling in the emergency contact person for each unit. As previously mentioned, this form should be updated each year and included in the *Operations Manual*. In addition, if there is an Association Website, this information should be uploaded for Board access to create transparency and efficiency.

2	2.MgmtTrans_F2.doc	<i>Owner/Resident Form</i>
3	2.MgmtTrans_F3.doc	<i>Owner/Resident Roster</i>

Owners should be advised to leave a key with someone who will have easy access to the property. A sister in a different state will not help if there is smoke coming from under the door. Owners can pick each other, leaving a key with perhaps one or two neighbors in the building. Whatever their choice, it should be a handy person nearby, with access to the property and the key in their possession. If no one is home when an emergency is evident, the Board needs to use this emergency contact person quickly with an acceptable response time.

Obviously, if there is fire, smoke or eminent danger, 911 should be called immediately. The door will be broken down by the fire department, and let the insurance figure out the responsible party. But, ideally, most emergencies can be handled by someone with a key who can get there within a reasonable amount of time for unit entry.

Note: Some Declarations require that the Board obtain keys to each unit. In other cases, Boards make it mandatory. If this is the preferred style of your Association, please use caution when storing the keys to the units. They should be retained in a locked cabinet that only Board and/or building personnel have

access to, under board direction and for emergency purposes only. Request that owners sign a waiver that they have left their key with the Board for emergency purposes, and understand it is at their own risk. We do not recommend that Boards have access to individual unit owner keys because: 1) If something is missing from a unit, the owner could accuse the Board of entering their unit without permission and may add to Board liability; and, 2) Owners may consider this a "lock-out" service and contact the Board in the middle of the night for unit access, which is neither convenient nor the role of the Board. If there is language in your Declaration requiring that the Board obtain keys, we recommend that the next time you amend your Declaration, you speak to your attorney about deleting this from your Declaration.

2) Consider Possible Emergencies Applicable To Your Association: Based on your specific property, consider all common areas and types of emergencies that could possibly happen and the types of action the Board would want to take including, but not limited to, an electronic gate enclosing the parking area that might not open, a garage door that could break trapping cars and people inside or out, an exterior door that malfunctions, prohibiting egress, etc.

For example, it's 3:00 a.m., an owner is coming home from a party and, as she walks down the hall, she steps into a puddle of water. She looks up, and water is pouring out of the ceiling above her head. It's not raining out and, besides, this is only the 2nd floor in a 5-story building! What does she do?

If you are on the Board, the last thing you want her to do is wake you up but, in a self-managed building that may be the requirement. In any event, there must be a protocol with accurate directions so that the unit owner knows exactly who to call and how to act. No matter what the process is, **unless professionally managed**, in most cases, the Board and not the owners should be the one activating the emergency system. Directions to an owner, if self managed, may be to contact a board member immediately. This can be any one of them, a different one each week or one specific person they are instructed to call. Once the board has the emergency information, here are options that can be considered as your next step:

A) If professionally managed, your management company will have an emergency number for the owner to call. That emergency number may be an answering service with specific instructions on how to get the proper person to return the call. Generally, there will be a list of emergency contact personnel in the event of a lack of response. Your property manager, or manager who is on-call that night, will be responsible to: 1) Return the owner's call; 2) Assess the situation to see if it can wait until normal business hours or must be addressed immediately; 3) Contact the appropriate vendor and respond to the emergency; and, 4) Provide an update on what transpired so the appropriate property manager (if applicable) will be informed and can follow up from there. Or it may be an answering machine, designed to automatically dial a connecting party to respond.

B) If self-managed, the Board will need to determine—in advance—what the emergency protocols are for the building and will need to communicate that to all owners and applicable vendors.

3) Determine All Emergency Shut-Offs and Document Them: Whether you obtain this information from the original developer, current property manager, utility company or have to hire an outside troubleshooting or maintenance company to help you find all that may be applicable to your property, it is important to know where all emergency shut-offs are located. The location should be documented, and this information should be in your *Operations Manual*. Be sure to do this BEFORE a problem exists as this can be detrimental to preventing or lessening damage to the property and danger to people. You may also consider posting these in

a common area near or within the main utility rooms in the event that a unit owner has a contractor doing work in their unit and something goes wrong requiring immediate action on their part.

A) Sample Checklist For Emergency Protocols:

- 1) Com Ed Main Electrical Shut-Off Switches to Common Areas & Individual Units
(Note: All unit owners should know where their main shut-off switch is to their unit!)
- 2) Peoples Gas Shut-Off Valve
- 3) Water- Main Shut-Off as well as separate Tier Lines, if applicable.
(Note: Owners should know how to turn off water in their units, if applicable.)
- 4) Sprinkler System and/or other Life Safety Monitoring System, if applicable
- 5) Boilers/Hot Water tanks, pumping systems and other common area systems
- 6) Ensure that all Emergency Lighting Systems, Smoke Detectors and Carbon Monoxide Detectors are checked monthly and batteries are changed annually;
- 7) Ensure that all Fire Extinguishers are inspected and certified annually.

4) Troubleshooting Options For The Self-Managed Association

There are a few options to assist the self-managed Board to ensure that proper emergency protocols are in place proactively in the event of an emergency. Regardless of the service selected, all fees should be negotiated in advance and are usually based on an hourly fee with overtime for specific hours and days. A minimum trip charge may also apply. Be clear upfront on what are considered normal business hours and the costs of overtime—including night, weekends and holidays—and be sure they are confirmed in any written agreements or contracts.

A) Troubleshooting Company: One option is to consider using an emergency trouble shooting company. There are full service emergency/maintenance companies that specialize in emergency preparedness, with 24-hour answering/emergency personnel on call. Once hired, they would have a key in their possession for all common area doors and should become familiar with all building components and shut offs. A copy of the emergency shut-off list should be given to the company and/or posted in the building with access on-site in a conspicuous location, as well as, listed in the Operations Manual. A call to such a company in an emergency would result in an immediate call back to ascertain the emergency, the location, the seriousness and what equipment to bring. As an example, in the case of water in the hallway, a good troubleshooting company would bring water extraction equipment to minimize any damage to the rugs or flooring. Fans will be brought in to dry out the walls, again with an eye to containing paint or drywall damage.

The advantages of having a troubleshooting company are: 1) You will pay them only when they are called to respond to an emergency; 2) They will always have someone on call and you will not have to worry about vacations or illness; and, 3) They will usually have the tools and skills required to fix the problem.

The disadvantages may be: 1) Higher costs; 2) You may not get the same person each time and they may not be as familiar with the property.

B) Janitor/Maintenance Company: Another option available to the Board in an emergency would be the maintenance company or person hired to perform the weekly/monthly maintenance duties for the Association who could also provide an emergency service—either as part of their monthly service or for an additional charge. This added service should include 24-hour emergency call and on-site response. This could be a negotiating point to obtain in the contract.

The janitor/maintenance person can be a good choice as emergency contact because: 1) They will know the building well; 2) They will have a good understanding of all shut offs, pipe configurations and possible solutions; 3), They may be more cost-effective than a large company; 4) They may take the pressure off of the Board to provide the emergency contact service; 5) Trust may be established with the owners as they are on the property regularly; and, 6) As building custodian, they will have a vested interest in the property to do the right thing.

The downside to using a maintenance person or contractor may be: 1) They may not respond quickly to a page; 2) If an individual, they may not have someone to take their place when on vacation or ill; and, 3) They may not have all the tools and/or qualifications of a full service company.

In the example of our owner finding water pouring out of the ceiling, determining where the water is coming from will be the number one priority after abating the damages. The troubleshooter/janitor will go to the floor above, if there is a unit they will knock and wake up the owner to see if there is a broken pipe, leaking toilet, overflowing tub, etc. Water turn-off may be required to control the damages. Or a hole may have to be drilled into the hallway ceiling. It may be a common area pipe that burst or some other source. In any event, a good troubleshooter will know the steps to take, and will make every effort to minimize damages and conserve costs.

Regardless of which service option you choose, the Board could consider implementing specific protocols giving the owners permission to contact the troubleshooter/emergency contact directly—instead of the Board—during an emergency situation. If so, the Board must be very clear—to both owners and vendors—with specific instructions on what they should and should not act upon that may incur overtime charges. Anything that can wait until normal business hours will be less expensive and the language should be clear to confirm that, if an owner implements an association charge which incurs unnecessary overtime expenses, they may be held responsible for those extra charges at the Board's discretion. Either way, the vendor should notify the Board of what has transpired—whether that night or the next day—as per the protocol dictates.

C) Answering Service—Whether a troubleshooting company, a janitor/maintenance person or a board member, the final option can be the use of an answering service. With a 24-hour live voice at the end of an emergency contact number, the Board can be secure in knowing that they will be called whenever that problem arises. The answering service can be directed to call: 1) A board member; 2)) The janitor or maintenance person/company; 3) A troubleshooter; 4) A series of calls. The cost of such a service can be as little as \$40/mo, or as much as \$100. Some services charge a monthly fee, and a charge per each time a call comes in. If your property has few emergencies, and owners are instructed to only call in case of an emergency, this can be an economical procedure for your property. However, your emergency protocols will first still need to be in place because the Answering Service will need specific directions on who to call and that contact must know what to do in advance.

5) Emergency Protocols For Board/Manager: Now that we have the owners' emergency contact information, a qualified vendor to call once the emergency is determined, and the process on how the calls will be handled, it is time to put the document together that will instruct everyone on how to react in an emergency. Please fill out all applicable lines on the *Emergency Protocols* form. This is designed as a worksheet for the Manager/Board and is for internal purposes only. It should be included in the *Operations Manual* when completed.

9	3.OperMan_F9.doc	<i>Emergency Protocols</i>
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Be sure to think about the availability of those who would receive the emergency call and how responsive they would be to a call in the middle of the night. If not using an answering service, consider that a board member who is a sound sleeper and/or who shuts off their phone at night would miss the call and not be the best candidate to hold this responsibility. Consideration should be made to possibly take turns; however, that would require someone coordinating the schedule and informing owners so may be a cumbersome option.

6) Emergency Instructions To Owners: Now that you have your proactive plan in place, it is time to communicate that to the owners and all parties involved. By using the *Emergency Instructions To Owners form*, the Board can create a detailed information piece to guide the owners of the appropriate protocol under any emergency circumstance.

10	3.OperMan_F10.doc	<i>Emergency Instructions to Owners</i>
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Once completed, it should be printed on highly visible colored paper and distributed to all owners/residents and applicable emergency contacts with instructions to retain in a handy place for easy access when needed!

7) After The Emergency: At this point, logic and business judgment will take over. The emergency has been handled, the Board is in control, and the proper vendors have been called to complete the repairs/damage process. At all times, if possible, waiting until normal business hours is more cost effective; therefore, handling the emergency during the night to minimize damage, but getting the proper vendor out later to do repairs, if possible, may be the best method to use in certain events. Obviously, if this cannot be done, get the vendor out immediately and pay the price. Your *Operations Manual—Vendor and Emergency Contact list* should be used to get the right person to complete the repairs and handle the situation.

Your troubleshooter/emergency contact should be well versed on the differences between a common area and limited common area expense. If not, they may not be the right contractor/vendor for your Association. Once the cause of the emergency is determined, the appropriate next steps must be taken including, but may not be limited to, the following:

- a) Obtain written explanation from vendor/troubleshooter on cause, fix and recommended next steps;
- b) If applicable, all parties should contact their own insurance agent as per the language in your Association's Bylaws/Declaration and Rules & Regulations.
- c) Make sure the problem is completely resolved and obtain additional proposals, as needed, to ensure problem does not occur again;

- d) If determined to be an individual unit owner's expense, bill the appropriate owner for the applicable expense so the association is reimbursed;
- e) If determined to be the Association's responsibility, be sure to make all applicable repairs in a timely fashion;
- f) The Association might consider paying the bill of the approved vendor to ensure their payment is not delayed by an individual owner and obtain reimbursement, as applicable;
- g) As applicable, contact your Association's management, insurance agent and/or condominium attorney to clarify any questions about your Association's pertinent documents, the insurance policy and/or condominium law requirements, including possible assignment of deductible charges.

Your *Emergency Protocols* should be reviewed and the *Emergency Instructions To Owners* should be communicated to owners at least bi-annually. These can be distributed at any time the Board feels reminders are important, and of course, should be sent out anytime there is a change in the protocol or contact information.

There are no guarantees in life, especially in property management. Anything that can go wrong, may go wrong! But being proactively prepared to handle most situations will put the Board and your property in the best position to minimize risk and retain value. A well organized and thought out *Operations Manual* and *Emergency Protocols* will accomplish these goals with confidence.

D. NEXT STEPS....

Incorporate your *Emergency Protocols* into the completed *Operations Manual* and distribute a copy on highly visible colored paper to all owners/residents and applicable vendors/contractors. Update at least twice/year or as needed.

E RESOURCES

- 1. Insurance Policy and/or Agent/Broker
- 2. Condo law attorney
- 3. Property Manager
- 4. Vendors responding to the Emergency

