

“Condo Owners, Put Your Masks Back On. COVID Rules Are Returning.,” South Florida Sun-Sentinel

August 16, 2021

By: Donna DiMaggio Berger



Tens of thousands of people who live in condos in South Florida will have to start wearing masks again and following other restrictions as COVID-19 skyrockets. Despite a brief period of freedom, restrictions are returning to condos as the delta variant makes Florida one of the worst COVID hot spots in the country.

Resistance from condo owners has made it tough to bring back mask requirements after getting rid of them, **[Donna DiMaggio] Berger** said. People who enjoyed relative freedom when the pandemic eased are reluctant to give it up now.

[T]he absence of a declared emergency in Florida doesn't restrain condo associations, said Berger, the lawyer at Becker & Poliakoff. Associations can make the case that they have the authority under the COVID Liability Shield the governor signed into place, she said.

The law protects businesses from liability for COVID-related deaths and injuries, but it requires them to follow the guidance of public officials in order to be protected, Berger said. It stands to reason that condo boards would want to enact mask requirements, she said.

“Boards have always had the ability to assess reasonable rules to safeguard their residents,” Berger said.

To read the full South Florida Sun-Sentinel article, please [click here](#). Subscription required.

To learn more about how the COVID Liability Shield Law impacts community associations, check out the episode #5 (**Community Immunity**) of **Take It To The Board with Donna DiMaggio Berger**. Take it to the Board is powered by Becker and explores the reality of life in a condominium, cooperative or homeowners' association, what's really involved in serving on its board, and how to maintain that ever-so-delicate balance of being legally compliant and community spirited. Follow us on Apple Podcasts, Amazon Music, or Spotify!

Donna DiMaggio Berger is a Board Certified Specialist in Condominium and Planned Development Law, the executive director of the Community Association

Leadership Lobby, and the host of Take It To The Board. She has led various community association advocacy initiatives, working with legislators and other public policymakers on behalf of those who live, serve, and work in common interest ownership communities, and has testified before the Florida Legislature regarding community association law. To learn more about Donna, please [click here](#).