



COVID-19 Actions & Insurance Implications

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 (If you missed our June 4th webinar, Reopening Your Buildings - Let's Get Technical, it will be available soon!)

Recent News

- A carrier is arguing in COVID-19 litigation that restaurants that were allowed to offer carry out could not show that their businesses were closed due to civil action. [Click Here](#)
- Finance and accounting departments are struggling with how to account for PPP loans on financial statements. [Click Here](#)
- One of the early class action suits filed in Pennsylvania for COVID-19 related coverage has been dismissed by the plaintiff. [Click Here](#)
- Increased retail sales should provide a lifeline to retailers and landlords with portfolios focused on the retail space. [Click Here](#)
- A federal appeals court denied a request from the AFL-CIO to compel OSHA to issue emergency safety rules related to COVID-19. [Click Here](#)
- A small business group has filed suit against Hiscox for COVID-19 related business interruption coverage as global lawsuits continue to increase. [Click Here](#)
- Companies facing lawsuits debate whether to share information and steps taken in response to COVID-19 with juries. [Click Here](#)
- Restaurants face significant cash flow problems even as reopening continues. [Click Here](#)

Actions & Analysis - Week in Review

- Develop a plan to regularly reevaluate and amend COVID-19 related policies as government policies and recommendation evolve especially in terms of sanitation. [Click Here](#)
- Consider plans and procedures in the event of a "second wave" of COVID-19 later in the year.

As conditions continue to change, landlords and organizations are faced with addressing and accommodating a myriad of factors from changing government orders to additional information about viral transmission and tenant concerns about a safe return. Initial planning and reopening has been completed in all major areas by now, but the key moving forward will be both sustaining those policies and amending them where necessary. Most of the public was more likely to comply with limitations and policies such as mask usage upon their initial promulgation at the height of anxiety over the pandemic. Enforcement of the policies will become increasingly difficult as time elapses; and organizations should be prepared with plans to address an ever more skeptical public.

Similarly, the threat of litigation and liability over COVID-19 will continue to extend for the foreseeable future in the absence of liability limitations at the state and local level. Such liability could increase as organizational operations expand and return to normal, possibly exposing more individuals to COVID-19 while at the same time inviting ever greater enforcement difficulties. Policies developed before a return to work, which seemed appropriate for a small number of tenants and visitors, may become unworkable in the face of larger numbers. Within that context, organizations and landlords should be flexible enough to reevaluate policies while also taking steps to ensure that employees and vendors do not let their proverbial guard down. Establishing a network of vendors which could respond in the event of future outbreaks would also be prudent as the need to maintain preparedness and flexibility will continue.

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