

Discussion Item

AR # 43 Acknowledgement & Agreement
to Limited Use of Social Media

PARKFAIRFAX CONDOMINIUM UNIT OWNERS ASSOCIATION

ADMINISTRATIVE RESOLUTION NUMBER FORTY-THREE

**RESOLUTION OF ACKNOWLEDGEMENT OF AND AGREEMENT
TO LIMITED USE OF SOCIAL MEDIA BY MEMBERS OF THE
BOARD OF THE DIRECTORS**

Members of the Parkfairfax Unit Owners Association's Board of Directors volunteer their services to the Association for numerous reasons: ranging from a desire to participate more closely in making decisions that affect the community to a desire to undertake a significant challenge. Communication between directors and their constituents is an important and necessary element for them to be effective and responsible volunteers. However, as technology continues to present new, attractive, and engaging ways for communication to occur, particularly through social media platforms and applications, directors must acknowledge the scope of liabilities for the Association created by their personal use of such technologies.

Social media platforms and applications, including but not limited to Facebook, Instagram, Twitter, SnapChat, TikTok, and Yikyak, play a large part in the lives of the residents of Parkfairfax. However, use of these platforms can present legal, social, communal, and individual liabilities for users, including the collection, security, storage, and handling of user personal data, metadata, and personal identifiable information (PII); issues relating to actual or perceived cyberbullying; defamation of character; and the dissemination of misinformation and disinformation.

As a Member of the Board, directors speak both as a resident of the condo community and in an official capacity for the Association; therefore, any engagement on a social media platform by a director speaks on behalf for themselves and for the Board consecutively. Furthermore, passive engagement on social media platforms can lead to a presumption of knowledge for directors. Failure to act in an official manner on an issue even when it is presumed a director should have known about it opens the director and the Association to potential legal liability.

WHEREAS, there currently exists an official Facebook page, hosted and managed by professional staff employed by the Association: **facebook.com/ParkfairfaxOfficialPage**;

WHEREAS, there currently exists an unofficial Facebook group dedicated to promoting the interests of unit owners of the Association, that is hosted and managed by various owners, and is unaffiliated with the Association: **Parkfairfax Condominium Unit Owners Association**;

WHEREAS, there currently exists an unofficial Facebook group dedicated as an online forum for discussion and information sharing among all residents of the Association, that is hosted and managed by various residents and owners, and is unaffiliated with the Association: **Parkfairfax Residents Community**;

WHEREAS, there may be other social media platforms and applications dedicated to the promotion of various ideas, agendas, policies, and other actions that are unknown to the Association, the Board of Directors, or owners and residents and are purposefully kept closed or private;

WHEREAS, the Board of Directors consulted legal counsel, who has recommended that current directors disassociate themselves from all unofficial Parkfairfax related social media platforms and applications during the tenure of service on the Board;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Parkfairfax Unit Owners Association voluntarily and strictly adhere to the following behavior and practices regarding social media platforms and applications, that adherence to the provisions of this resolution occur within 48 hours after adoption, and that, if adopted, a copy of this resolution, including signatories of, be distributed to residences of the Association within 14 days:

- A.** Board directors may engage only with the official Association Facebook page: facebook.com/ParkfairfaxOfficialPage. All directors shall discontinue engagement with all unofficial Parkfairfax related social media platforms and applications, including all such Facebook pages and groups, throughout their tenure on the Board of Directors.
- B.** That directors shall not continue to engage in social media platforms and applications using pseudonyms, private accounts, or third parties.
- C.** No PII will ever be posted on any official or unofficial website, including Social Security Numbers, vehicle license plate numbers, birthdays, private phone numbers, ages, or other demographic data.
- D.** That in their role as a Board liaison to an official committee of the Association, should they wish to post any information regarding their committee, such as a committee action or promotion of an event, that such a notice will occur on an official Association social media page or website, and only after consultation with the General Manager, the President of the Board, or any other professional staff of the Association with authority to post such information.
- E.** That upon election of a new President of the Board at the Organization Meeting, the President place on the agenda a copy of this resolution for consideration and adoption by the new Board.

»» Model Code of Ethics for Community Association Board Members

CAI developed the Model Code of Ethics for Community Association Board Members to encourage the thoughtful consideration of ethical standards for community leaders. The model code is not meant to address every potential ethical dilemma but is offered as a basic framework that can be modified and adopted by any common-interest community.

Board members should:

1. Strive at all times to serve the best interests of the association as a whole regardless of their personal interests.
2. Use sound judgment to make the best possible business decisions for the association, taking into consideration all available information, circumstances and resources.
3. Act within the boundaries of their authority as defined by law and the governing documents of the association.
4. Provide opportunities for residents to comment on decisions facing the association.
5. Perform their duties without bias for or against any individual or group of owners or non-owner residents.
6. Disclose personal or professional relationships with any company or individual who has or is seeking to have a business relationship with the association.
7. Conduct open, fair and well-publicized elections.
8. Always speak with one voice, supporting all duly adopted board decisions—even if the board member was in the minority regarding actions that may not have obtained unanimous consent.

Board members should not:

1. Reveal confidential information provided by contractors or share information with those bidding for association contracts unless specifically authorized by the board.
2. Make unauthorized promises to a contractor or bidder.
3. Advocate or support any action or activity that violates a law or regulatory requirement.
4. Use their positions or decision-making authority for personal gain or to seek advantage over another owner or non-owner resident.
5. Spend unauthorized association funds for their own personal use or benefit.
6. Accept any gifts—directly or indirectly—from owners, residents, contractors or suppliers.
7. Misrepresent known facts in any issue involving association business.
8. Make personal attacks on colleagues, staff or residents.
9. Harass, threaten or attempt through any means to control or instill fear in any board member, owner, resident, employee or contractor.
10. Reveal to any owner, resident or other third party the discussions, decisions and comments made at any meeting of the board properly closed or held in executive session.

CAI provides learning opportunities for community managers, homeowner volunteer leaders, association residents and service providers. Visit www.caionline.org/education to learn more.

