

THE SOCIAL MEDIA LAWYER:

What is the Board's Role in the Association's Facebook Page?

by Jeffrey C. O'Brien, Lommen Abdo Law Firm

For boards of directors in common interest communities, it was hard enough to govern in the pre-social media era. What do they do now when residents of the community have access to sites such as Facebook to air their views (some of which can be negative) about the community and the board?

I have written in the past about the positive benefits that can flow when an association establishes a Facebook group to foster communication between the board and the residents and amongst the residents. My own association created such a page and it has been an extremely useful communications tool for the neighborhood. Not only can residents ask questions about various rules and procedures and receive a prompt response from a board member, but our group has also

become a place to post recommendations for a favorite vet, handyman or restaurant; to find a lost pet (or the owner of a found pet); and to share photos from neighborhood events with the community at large.

Our group is not without issues, and it is the board's role to manage the issues that arise. It is a good idea for communities that maintain a Facebook group for its residents to have one or more board members serve as the "Administrators" for the group. These people are the gatekeepers that determine who can join the group. The "Admins" must have some means of verifying that those who seek to join the group are actually members of the community and not spammers or other outsiders. With my community's Facebook group, we cross-check the names of people who request to join the group with the

master list of residents maintained by our management company. Verification of residency is an essential element to creating an open community online.



O'BRIEN

A second issue that arises is how and when to regulate residents' posts within the group. No one likes censorship, but if one resident posts something derogatory about another resident, the board/admins should act quickly to remove the post. Also, posting rules in the "About" section of the group page is a must. These would include that derogatory or defamatory posts will be deleted and the posters may face removal from the group.

What about comments about board actions? That's a stickier issue. If a board deletes anything negative said about it within the Facebook group, users will become frustrated and the group's usefulness as a communications tool will diminish. A better tactic is to have board members active within the group and willing to engage in discussion about a particular course of action and the reasons behind it. In that way, the Facebook group can be an excellent tool for a board to communicate directly to those who question it.

While the use of a community Facebook group is not without its issues, a Board that understands the medium and the purposes behind it can take affirmative steps to ensure that it remains an integral communications tool for the community as a whole. ■

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and when to call them. We have made every effort to educate our association members, advising them to purchase HO6 policies.

Challenge No. 6. Governing documents. For Pete's sake, are these in English? 515 what? Why is Chapter 317 in here? For answers, call your attorney. You don't have one? Our advice: Don't even think of being self-managed without an attorney.

Challenge No. 7. Homeowners and neighbors. You are self-managed. You can no longer pass your people problems onto a management company. What do you do when you're asked, "Who's that guy down the hall who's half dressed? Roger underpants?" Or you come home and there's a sheriff waiting for you, wanting to know where Big Joe Robber lives. And how about the 3 a.m. call complaining about noise in the adjoining unit. Or the owner who takes his dog out to

do what dogs do, and leaves his keys to the building and his unit inside.

Then there is the neighbor who wants to know who piled snow on his side of the fence. Or the homeowner who thinks the association is the only customer your snowplow vendor has. A direct quote, "The snowfall just quit, so why isn't the plow here yet? What do we pay him for anyway?" Then, "They shoveled? Well, they missed some on the corner. I had to walk around it." And, "The city snowplow did that? Well, they should come back and shovel again."

What you do is "just smile." You can't please everyone, even when your services are free.

Good luck! ■

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