

For Many Condo Communities, Pokemon Go Quickly Becoming Pokemon No

Commentary by Michael E. Chapnick, Daily Business Review

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Pokemon Go, the new video game app that lets players explore their cityscapes to capture virtual monsters, has officially taken America by storm. Unfortunately for condominium and homeowner associations, it has also quickly created some serious security, liability and nuisance concerns that boards of directors must now discuss and address.

The issues arise both from nonresidents who are pursuing these animated characters and feel compelled to enter a property as well as from residents and their guests who are gallivanting through the hallways and common areas at all hours in their never-ending search for more Pokemon.

While some association complexes feature a manned security gate at the main entrance, many do not and visitors are able to drive onto a property without restriction. The game does remind players to be aware of their surroundings and not to trespass, but it also encourages them to visit new locations. Some players are now simply driving up to condominium entrances and trying to see if they could perhaps even park and walk around to check for any nearby Pikachu, one of the characters. Needless to say, this creates significant security and liability issues for properties.

In addition, the hallways, pool decks and other common areas that are accessible to residents and their guests around the clock are quickly becoming gathering grounds for the players of the game, which features "lure modules" and virtual gyms to encourage them to meet and wage battles with their Pokemon. These aspects of the game lead to players congregating at all hours,

which is causing significant nuisances and safety concerns for some communities' residents and staff.

Owner Bulletin

While sweeping changes to association rules may be unnecessary, many boards of directors are now considering appropriate measures and precautions. One of the best starting points may simply be a bulletin to all of the owners, residents and staff reminding them that excessive noise in any of the common areas — including from Pokemon Go players — creates nuisances that are in violation of association rules. The notice should remind owners and residents to immediately contact building management or security if any such nuisances arise so that immediate action may be taken to address it.

Management, security and valet staff should also be consulted regarding board concerns and the implementation of any new policies and procedures to address them. This will need to include added vigilance for nonresident players attempting to infiltrate the property as well as for residents and their guests creating disturbances while they are playing. Other options may include closing lobbies and some other common areas during nighttime and increased surveillance by onsite staff.

For properties with many Pokemon Go players, boards and management may even wish to consider establishing weekly or daily times for them to use the clubhouse, lobby or other public area to meet and play. This would go far toward generating goodwill with the game's aficionados and helping to ensure that they do not feel alienated by any new measures restricting their ability to congregate to play it in the common areas at night.

Judging by the more than 100 million downloads of the game so far, Pokemon Go and other new "augmented reality" games like it that encourage players to explore their environs appear to be here to stay. By being proactive and addressing the issues that these games create right from the onset of this new trend, community associations will be better able to nip them in the bud.

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