



## *How to Deal with the Media*

### **MULCAHY Community Association Cheat Sheet®**

#### **BRINGING ANSWERS TO COMMUNITY ASSOCIATIONS**

*This publication discusses significant points of law as they apply to community associations and is not intended to offer specific legal advice or responses to individual circumstances or problems.*

#### **MULCAHY LAW FIRM, P.C.**

3001 East Camelback Road  
Suite 130

Phoenix, Arizona 85016

Phone: 602.241.1093

Toll Free: 877.206.7164

Facsimile: 602.264.4663

E-mail:

[bmulcahy@mulcahylawfirm.com](mailto:bmulcahy@mulcahylawfirm.com)  
[www.mulcahylawfirm.com](http://www.mulcahylawfirm.com)

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Unfortunately, the majority of media coverage involving community associations is negative. With that in mind, it is important for your community to be prepared in the event that the media contacts the board and/or is covering a story involving the community. The two most common scenarios where a community association will receive media coverage are (1) a conflict with a homeowner (in which case, the homeowner typically involves the media); or (2) a newsworthy incident occurs within, or in very close proximity to, the community.

#### **CONFLICT WITH A HOMEOWNER**

It is not uncommon for an aggrieved homeowner to threaten to contact the media regarding a dispute with the board. It is somewhat more uncommon for the homeowner to actually go through with it. It is even more uncommon for the media outlet to actually pick up the story. However, in the event that the homeowner gets media traction, it is important for the board to be prepared.

When a media topic involves a conflict with a homeowner, I typically advise that “less is more” in terms of interacting with the media. If the homeowner reached out to the media, then the homeowner has had the first opportunity to control the narrative and direction of the story. If the media outlet decided to cover the story, they typically feel that the homeowner’s complaint has some merit. In this day and age, media coverage is almost never objective or unbiased. If the media outlet already plans to paint the association and/or board in a negative light, you don’t want to give them any additional material. If the board decides to respond, a concise message is usually recommended.

#### **NEWSWORTHY INCIDENT**

As stated above, unfortunately most incidents within community associations that receive media coverage are negative (e.g. crime(s) within the community, a major car accident on private roads within the association or a personal injury on the common areas). In these types of cases, I typically advise that it is more important and prudent to get out ahead of the story and make the association more available to the media for comment. In some cases, it may even be appropriate for the board to reach out to the media. The sooner the board can comment on the incident, the more control the board has over its message and the narrative of the story.

#### **HAVE A PLAN**

So what should you do if a media outlet contacts your board regarding a conflict with a homeowner or a newsworthy incident within the community?

- Contact your community Association attorney! We can not only assist the board in developing a strategy, but we can also assess the legal merits of the issues involved. The association’s legal position on the issue will certainly have a direct impact on how it interacts with the media.
- Designate a representative to handle media inquiries (it would also be prudent to have a back-up representative, just in case).

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## **HAVE A PLAN (CONTINUED FROM PREVIOUS PAGE)**

- Determine whether and how to address the media. Depending on the circumstances, the association's response may vary anywhere from: declining to comment; agreeing to issue a statement; or, agreeing to a full interview.
- If the association does agree to an interview, please make note of the following tips and suggestions:
  - Make sure you have a professional appearance (especially if you'll be on camera)
  - Focus on making eye contact (no eye rolls) and exuding positive body language
  - Try to be relatable and avoid appearing defensive
  - If the story is negative (which I repeat again, is usually the case) exhibit empathy and have a respectful tone. If a homeowner contacts the media and you don't agree with their position, be respectful of their feelings. Even if the facts are on your side, a condescending tone can paint the community in a negative light.
  - Know your message and key talking points and be prepared for likely lines of questioning
  - Listen – Think – Answer. Pay close attention to the question, pause to think about your response and then deliver your response with conviction
  - Avoid "no comment" types of answers. If you aren't comfortable responding to a particular question, try to formulate a more descriptive way to avoid providing a direct answer (e.g. our attorney has advised us to not discuss that issue at this time, but we certainly intend on addressing it at the appropriate time)