

Co-Chairs Kotek and Courtney-

As a member of the commercial real estate community I am seeing firsthand the challenges that our great City and State's small businesses are facing. Each day they are making tough choices and many are seriously facing the possibility of having to close their doors for good. I support an amendment to HB 4212 that would provide temporary and targeted liability protections to entities that are adhering to state and federal public health guidelines and rules to reduce the risk of COVID-19 exposure. Governor Brown's executive orders have flattened the COVID-19 curve, but the changing regulatory environment also has created immense liability and uncertainty for public and private sector employers. I am worried that even though we are following state and federal public health guidelines, we and so many of my clients and friends are still at risk of a lawsuit from a customer or employee saying that we didn't go far enough. One of these lawsuits would cripple business. It's already tough to keep my doors open in these challenging economic times. The ask is simple; please amend HB 4212 to include the language: "A person or entity acting in good faith shall not be subject to civil damages resulting from acts or omissions that complied with an executive order or regulation or were in accordance with guidance regarding COVID-19, unless the damages result from the person or entity's gross negligence or from the person or entity's reckless, wanton or intentional misconduct. This section applies to all causes of action that accrue during the complete duration of the COVID-19 emergency declaration, EO 20-03 issued March 9, 2020."

Thank you for your leadership on this important issue to those of us that are trying to do the right thing.

Sincerely,
Peter



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Our Response to COVID-19: At Melvin Mark, our clients, partners, employees, and community are our biggest priorities. We remain open and continue to offer services and support by phone and virtually during these uncertain times. In response to COVID-19, we are following health authority guidelines and are taking precautions to ensure the safety of whom we work with closely and providing links to essential business resources. To read our full message and find additional information, [click here](#).

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