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PERMITTED LOCATIONS

It is currently legal for a Homeowners Association to install video surveillance cameras in all areas except those where there is an expectation of privacy—such as locker rooms and bathrooms.

CRIME DETERRENCE

Video surveillance cameras have proven effective in deterring and prosecuting low level crimes such as automobile break-ins.

"DUMMY" CAMERAS

Non-operative cameras are generally not recommended because they may provide a false sense of security to homeowners.

Asked and Answered: Association Video Surveillance Cameras

What must a Homeowners Association know before installing video surveillance cameras in the community?

Video surveillance cameras are now being installed almost everywhere, so why not in your homeowners association (HOA)? Does it violate the law for a HOA to install these cameras in the community? Are these cameras helpful in reducing criminal activity? Is it acceptable to use "dummy" cameras instead of operative cameras? Does a HOA have to post signs notifying the homeowners that they are under video surveillance?

These are some questions that HOAs are asking legal counsel as HOAs consider installing these cameras to monitor entry gates and to prevent vandalism and crime at community pools, clubhouses and fitness rooms. This *Asked and Answered* will address these questions and provide your HOA and management personnel with some guidance in this area.



Is it legal for a HOA to install video surveillance cameras? Currently it is legal to install these cameras in all areas except in those where privacy is expected—such as locker rooms and bathrooms. The most popular locations to install these cameras are at entry gates and recreation facilities as a means to deter trespassing, vandalism and other property damage.

Are video surveillance cameras helpful in reducing criminal activity? Studies on the effectiveness of video surveillance cameras suggest that they are effective at reducing the number of low-level crimes such as automobile break-ins and burglaries in areas where cameras have been installed.



These cameras have also proved immensely helpful in prosecuting individuals caught in the act of committing a crime. It is important to note, however, that these cameras are only effective if they are regularly maintained to ensure proper operation.

Is it acceptable to use "dummy" cameras instead of operative cameras? "Dummy" cameras are not recommended because they may provide a false sense of security to homeowners who believe that the area is being

"...they may provide a false sense of security to homeowners..."

monitored for security purposes. HOAs should install cameras that record onto videotape or another medium that can be stored and later referenced if need-be. Broken or inoperable cameras may be viewed as dummy cameras; surveillance cameras should thus be maintained in operable conditions at all times.

CCTV NOTIFICATIONS

There is no legal requirement to post signs notifying homeowners and community guests that the area is under video surveillance. However, notices may provide an extra deterrent to criminal activity.

Does the association have to post signs notifying the homeowners that they are under video surveillance? There is no law requiring associations to post signs informing homeowners that they are being filmed with surveillance cameras. However, many businesses choose to post signs as an added deterrent to would-be criminals.



In summary, video surveillance cameras can be an effective tool in deterring criminal activity in a residential community. However, it is recommended that all cameras be operational at all times and that the use of dummy or broken cameras be avoided.

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FIRMNEWS

We are moving!

To better serve our clients, the Law Offices of Richard A. Tinnelly will be relocating to the beautiful Summit Office Park in Aliso Viejo.

Our new address will be:

30 Enterprise, Suite 320, Aliso Viejo, CA 92656

Our phone, fax and email addresses will remain the same.

More exciting firm developments to come later this summer...

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