

Complying with the Industry Guidance Showing Rules

On July 2, 2020, the Departments of Public Health and Cal/Osha revised their posted "Industry Guidance: Real Estate Transactions," which contains a host of rules detailing how properties must be shown during COVID-19.

Check your city or county for more restrictive local showing rules.

How can brokers and agents comply with this Industry Guidance for showings?

Step 1: Adopt a "Prevention Plan." You may use C.A.R. Document BPPP, Mandatory Government Showing Requirements, Including Best Practices Guidelines and Prevention Plan (available within the COVID library in zipForm®), for this purpose.

Step 2: Do not hold "traditional" open houses or showings that are open to the general public on a walk-in basis. Use an appointment or digital sign-in process to control the number of people at the house. If you are going to hold a non-traditional "Open House," then any "Open House" signs or ads must include a rider or express condition that appointments or digital sign-in are required before entry. Showings should be done virtually, whenever possible. Only one listing agent and one "buying party" (including the buyer's agent) may be in the dwelling at the same time.

Step 3: All visitors must sign a PEAD-V form and deliver it electronically to the listing agent in advance of entering the property. The form should be signed on the day of entry, or if not possible or pragmatic, then no earlier than 24 hours before entry. Doing this accomplishes several things: a) It is an agreement that the visitor will comply with the Posted "Rules for Entry Showings" (Form PRE); b) The visitor acknowledges receiving and agrees to the Prevention Plan; and c) The visitor attests they are not, to the best of their knowledge, afflicted with COVID-19, among other things.

Step 4: The Posted Rules for Entry must be posted at the entrance to the property and be clearly visible. Also link to or publish these rules in MLS listings and publicly online.

Step 5: The property must be equipped with hand sanitizer and disinfecting wipes. Face coverings are to be available in case any person did not bring their own.

Step 6: The property must be thoroughly cleaned and disinfected. Commonly used surfaces such as counters, door and cabinet handles, key lock boxes, keypads, toilets, sinks, light switches, etc., must be cleaned and disinfected before and after each showing. The agent who shows the property shall follow cleaning and disinfecting protocols and provide sanitation products unless otherwise agreed. Keep in mind that the brokerage whose plan is being implemented (almost always the listing brokerage) must regularly evaluate the plan for compliance and correct deficiencies identified. May a seller do the cleaning? If current occupants are present and/or participate during showings, they should adhere to the same cleaning and disinfecting protocols.

Step 7: Open doors and windows, weather permitting, to introduce fresh air. Also, doors and other areas of ingress and egress must be opened to minimize clients touching surfaces.

Step 8: Prior to or immediately upon entry, all visitors must use hand sanitizer or wash their hands with soap and water before touring or inspecting the property.