



SAN FRANCISCO  
ASSOCIATION of REALTORS®

## GUIDANCE FOR SAN FRANCISCO REALTORS® UNDER SHELTER-IN-PLACE

### -- FREQUENTLY ASKED QUESTIONS --

Updated on 4/21/20

The Association provides the following Q&As based upon the Mayor's shelter-in-place order with the understanding that nothing below changes SFAR's guidelines as stated above: (1) No traditional, in-person open houses or tours and (2) All showings should be conducted virtually. Overall, all real estate activities should be conducted virtually, if and when possible.

The Q&As below also recognize the shelter-in-place order sets a mere minimum standard that could be changed and made more restrictive by Mayor Breed (or Governor Newsom) with little or no notice.

#### **GUIDANCE FROM THE SAN FRANCISCO CITY ATTORNEY:**

##### **Are real estate photographers permitted in homes?**

Yes, real estate photographers are necessary to enable virtual viewings and marketing to occur.

##### **Are real estate stagers permitted in homes?**

No, stagers are not necessary to enable residential real estate transactions.

##### **Are inspectors/appraisers permitted in homes?**

Yes, inspectors and appraisers are necessary to enable residential real estate transactions to occur.

#### **The Existing Order Continues To Prohibit Most In-Person Showings:**

- All Realtor activities must be conducted virtually if feasible.
- Vacant properties may be shown to prospective buyers only if NOT feasible (possible) to show virtually, and then only with significant procedural and safety measures.
- NO in-person showings of Occupied properties.

## **ADDITIONAL FAQs FROM SFAR:**

### **May I accompany an inspector to a unit?**

The shelter-in-place order indicates that if an inspector is visiting an uninhabited unit, following social distancing/sanitary guidelines, and is limited to two (2) visitors at a time in a single unit and one (1) individual showing the unit, then such inspection will be allowed.

But see the current “Best Practices” guidelines from the California Association of REALTOR® (CAR) at <https://www.carcovidupdates.org/best-practices-guidelines>, including, without limitation:

“The written approval of the seller for all pre-marketing activities must be obtained by the listing agent. No third party can enter the property if they have not agreed to follow CDC guidelines. Even for contractors and workers, gloves and other protective gear are mandated, as is the declaration that they are asymptomatic and agree to follow CDC guidelines”.

The declaration referenced above is further discussed in CAR’s guidelines as follows:

“Any person entering a property shall provide by declaration that to the best of their knowledge, they are not currently ill with a cold or flu; do not have a fever, persistent cough, shortness of breath, or exhibit other COVID-19 symptoms; have not been in contact with a person with COVID-19; and will adhere to and follow all precautions required for viewing the property at all times. All persons visiting a property will agree to wash their hands with soap and water or use hand sanitizer prior to entry, and to wear disposable rubber gloves and a protective face mask, if one is made available. In addition, sellers must disclose to all persons who enter the property if the seller is currently ill with a cold, flu or COVID-19 itself, or has a fever, persistent cough, shortness of breath or other COVID-19 symptoms, or has been in contact with a person with COVID-19. Further, if anyone who enters the property is later diagnosed with COVID-19, the person who is diagnosed must immediately inform the listing agent, who will then make best efforts to inform everyone who entered the property after the person diagnosed, of that fact.”

SFAR recommends against accompanying inspectors in-person.

### **Does this mean I can let an appraiser into the house? May my buyers come to the property for the inspections? May the buyers perform their walk-through verification?**

Same recommendations as for inspectors. Further per CAR’s guidelines:

”[B]uyers must be expressly made aware of the risks of showing and visiting properties: that it may be dangerous or unsafe and could expose them or others to coronavirus (COVID-19)...must be advised of their responsibilities pertaining to COVID-19 protocols regarding social distancing and other CDC guidelines.”

**May I send/accompany a workman to perform requisite point-of-sale inspections and upgrades? (i.e. smoke detectors and carbon monoxide detectors/water heater/tank/energy and water)**

San Francisco's shelter-in-place order provides: Hardware stores, and plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety and sanitation” are considered essential business.

The same recommendations as to CAR and by SFAR as above for inspectors otherwise apply.

**Can I perform my Agent Visual Inspection Disclosure (AVID)?**

San Francisco's shelter-in-place order indicates agents may enter an uninhabited unit, such as to conduct an AVID visual inspection, following social distancing/sanitary guidelines, limited to two visitors at a time in a single unit and one individual showing the unit.

CAR’s “Best Practices” as noted above otherwise apply.

**Can I accompany the Buyers to perform their final walkthrough verification of the property condition?**

San Francisco's shelter-in-place order indicates agents are allowed to accompany Buyers to perform their final walkthrough verification of the property condition, as long as such visit is limited to two visitors at a time in a single unit and one individual showing the unit. Visitors must follow social distancing/sanitary guidelines and the unit must be uninhabited.

Again, per CAR:

“[B]uyers must be expressly made aware of the risks of showing and visiting properties: that it may be dangerous or unsafe and could expose them or others to coronavirus (COVID-19)...must be advised of their responsibilities pertaining to COVID-19 protocols regarding social distancing and other CDC guidelines.”

***For any questions, it is strongly recommended you consult your broker/manager or legal counsel. The above is general information and may not be applicable to every specific property or situation.***