

Open House and Showing Rules: Industry Guidelines

On May 12, 2021, the "Industry Guidance: Real Estate Transactions" was amended to allow for open houses with more lenient protocols based on current health guidance and science. **Warning: Check your city or county for more restrictive local showing rules.**

Revised Open House and Showing Rules

1. **Advertising Open Houses:** A real estate licensee may advertise open houses without qualifications. This includes in MLS or other places.
2. **No Appointments Required for Open House Attendees:** The new rules state open houses are permitted and there is no requirement for appointments.
3. **Multiple Groups Now Allowed on Property:** For both open houses and showings, you may now have more than one individual or connected group of persons on the property. The number of groups or individuals should allow for social distancing between each group. The total number of persons allowed also depends on tier level. [see #8]. The simplest way to approach this is to:
 - a. Have social distancing between households and
 - b. Adjust and limit the number of persons in the property at any given time to achieve social distancing.
4. **Face Masks:** All visitors must wear masks indoors, even if vaccinated, and comply with the other guidance such as hand sanitizing or washing. You should have extra face masks available for those who do not have one.
5. **Sign in:** All persons entering should sign-in either digitally or in writing. New form PSI – Property Sign In which can be used for this purpose. The sign-in form should include certain agreements (see 6 a-c).
6. **What should the sign- in include?** The sign-in should include a statement that by entering the property, the visitor is agreeing:
 - a. To Follow the Posted Rules of Entry
 - b. That they have received a link to or of copy to the Prevention Plan (Form BPPP version 5/21)
 - c. That the visitor is not feeling sick, does not have other COVID like symptoms and has not been exposed recently to someone with COVID to their knowledge.
7. **Can I still just use the PEAD-V?** Yes. Either the new PEAD-ALL, or the PEAD-V accomplishes all of the above. The Posted Rules of Entry must still be posted. However, a sign-in having the key elements above is sufficient instead of a PEAD form. Note the PEAD forms are now being simplified and combined into one form PEAD-ALL and will be available soon on zipForm and is available now as a pdf on car.org at <https://www.car.org/riskmanagement/covidlegaldocs>.
8. **How can I determine what is the maximum number of people allowed in the property?** The main rule of thumb is to have adequate social distancing between different buying parties. For properties in the yellow and orange tiers that, as a practical matter, is the main limitation. You will have to limit entry to ensure that everyone is able to maintain at least 6 feet of physical distance from everyone who is not in their household.

However, there can never be more than 50 in the yellow tier, 25 in the orange tier, and 10 in the red tier. For the purple tier, allow no more than one buying party at a time. Click [here](https://covid19.ca.gov/safer-economy/) [https://covid19.ca.gov/safer-economy/] to see what tier county the property is in. Your city or county may have more restrictive rules in place.

9. What is required for Posted Rules for Entry? The Rules for Entry must be posted at the entrance to the property and be clearly visible. Also, you may link to or publish these rules in MLS listings and publicly online. This C.A.R. form PRE can be used for this purpose; available soon on zipForm and at: <https://www.car.org/riskmanagement/covidlegaldocs>

10. What are the cleaning protocols? The property should be cleaned once a day consistent with the CDC guidelines [<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>] which states:

“Determine How Often To Clean High-touch surfaces should be cleaned at least once a day. More frequent cleaning might be needed when the space is occupied by young children and others who may not consistently wear masks, wash hands, or cover coughs and sneezes. If the space is a high traffic area, or if certain conditions apply, you may choose to clean more frequently.”

11. Are there other precautions that should be taken? Open doors and windows, weather permitting, to introduce fresh air. It is also recommended to have sanitizer and wipes available for cleaning and to have masks available so that persons without masks will not have to be turned away.

12. Does this change any protocols for appointment-based individual showings? The individual showings, whether through lock boxes and/or by appointment, should comply with the same rules as open houses as it relates to masks, hand sanitizing/washing, social distancing and posted rules. A PEAD form may still be used for individual showings, but a sign-in sheet or digital sign-in process is also adequate if the signer 1) agrees to follow the Posted Rules of Entry 2) is given access – even if a link – to the Prevention Plan and 3) an indication that by entering the property, one is declaring that they are not feeling sick, have other COVID like symptoms and, to their knowledge, has not been exposed recently to someone with COVID.