

CLARIFYING FACE CLOTH/MASK REQUIREMENTS FOR BROKERS

by | May 21, 2020

The Washington REALTORS® Legal Hotline has received several questions surrounding the requirement for brokers to wear face cloths/masks on a property or in their office per the Governor's announcement about more counties being eligible to apply for Phase 2 variance. Annie Fitzsimmons clarifies:

Q: Please confirm that I am understanding the Governor's guidelines with respect to face masks. My county is currently in phase 1 and I can still only meet with 1 other person in a home at once. Previously, a mask was not required, but as a result of greater flexibility in phase 2 counties, we who are still in phase 1 counties must now wear a mask when we are showing property? Starting when?

A: Specifically, the Governor's directive requires brokers to wear "cloth face coverings". Certainly, traditional face masks satisfy this requirement but likewise, any cloth face covering will suffice. Broker could utilize a bandana or a scarf, for example, if a mask is not readily available.

With respect to the face covering requirement for brokers selling in phase 1 counties, the Governor's office believes that the more people who wear face coverings, the greater the likelihood that spread of the virus will slow. As the state begins to open for business, there will necessarily be many more people coming and going and interacting. County lines are not barriers and people from phase 2 counties will certainly travel into phase 1 counties. With that, everyone in every county will be more exposed to viruses carried by any person who is out and about, anywhere in the state. As a precautionary tool, the CDC is now urging the wearing of face coverings to help shield the sharing of airborne droplets from one person to another. Because of that, the Governor's protocols for the RE industry now ask all brokers who interact with the public, including in phase 1 counties, to wear face coverings.

WR & NWMLS RELEASE REAL ESTATE GUIDANCE FOR PHASE 2

by | May 20, 2020

Governor Inslee announced that ten additional Washington Counties have been approved to apply for Phase 2 recovery status. Additional counties will be considered by the administration to apply when their infection rates per thousand residents meet the threshold set by the Governors recovery plan. Counties must also demonstrate the health care capacity and tracing ability to qualify.

The counties now approved for Phase 2 must comply with the regulations and protocols set forth by the Governor to protect public safety.

Washington REALTORS® and the NWMLS have revised the [Covid-19 Frequently Asked Questions](#) to assist you in applying those regulations to your day-to-day business. Please discard previous copies of your FAQs for this revision.

Leadership and your Government Affairs team have worked very hard to earn these modifications, please continue to demonstrate compliance with the regulations so we can expand Phase 2 eligible counties.

Phase 1 counties (gray) status has not changed and business practices have not changed from previous weeks. When infections rates go down and other requirements are met, they too can apply for Phase 2.

Recap of modifications for Phase 2 include:

- Real estate firms may open their offices in a limited fashion;
- Commercial brokers can engage in the same in-person services as residential brokers;
- Three persons (as opposed to two persons) are allowed on site for permitted in-person real estate activities for both residential and commercial brokerage (for both improved and unimproved property); and
- Sign installers may install real estate signs.

For both Phase 1 and Phase 2 in-person real estate activities, real estate brokers and industry partners (e.g. appraisers, inspectors, photographers, stagers, etc.) must wear cloth face coverings and should encourage clients and customers to do the same.

Public and broker open houses and similar invitations to view a property without an appointment are not permitted in Phase 1 or Phase 2. Only previews and showings by appointment are allowed.

Brokers must adhere to the “phase” protocols for the county where the property is located, regardless of the location of the broker’s office or home. Brokers conducting real estate activities in a Phase 1 county, must continue to abide by the Phase 1 protocols, which include only allowing two persons in a property, including the broker, at one time.