

# REAL ESTATE ESSENTIAL SERVICES CARD FOR CLIENTS DURING STAY AT HOME ORDER

**Clients of REALTORS® have asked whether they are entitled to leave their homes to visit their REALTOR®'s offices or to view properties given the recent Ontario Stay-At-Home Emergency Order. Can their REALTOR®'s office stay open? Can they go view properties?**

## **Real estate agents allowed to open for business**

Real estate agents services are a business permitted to open in Ontario. While the general rule is that businesses must be closed in areas which are in Stage 1 (currently all of Ontario), section 1(1) of Schedule 1 (General Rules) of Ontario Regulation 82/20 (the Rules for Areas in Stage 1 Regulation), the exception is any business listed in Schedule 2 of that Regulation. Real estate agent services are specifically listed as a business entitled to be open in paragraph 31 of Schedule 2 (Businesses That May Open) of Ontario Regulation 82/20 made pursuant to the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*:

31. (1) Real estate agent services that do not host, provide or support any open house events.
- (2) Nothing in subsection (1) prevents a real estate agency from showing a property by appointment.

Provided the appointment to show a property is by appointment, that provisions of that Regulation allows showings and indeed, other activities related to real estate agent services to be carried on.

Open houses are however not allowed.

## **Can you view properties?**

The Emergency Stay-At-Home Order which came into force on January 15, 2021 requires every individual to remain in their place of residence unless leaving it is necessary for a number of purposes. One of those purposes is “attending an appointment at a business or place that is permitted to be open by appointment under the Stage 1 Order” (paragraph 9 of subsection 1(1) of the Stay-At-Home Order, Ontario Regulation 11/21). Even clearer is paragraph 21 of that same subsection, which states that leaving ones residence for the following purpose is permitted:

21. Making arrangements to purchase or sell a residence or to being or end a residential lease.

