

## 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 the Shutdown Zone (currently all of Ontario), pursuant to 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 31. COVID-19) Act, 2020*:

- (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.

The Stay-At-Home Order imposes additional obligations on owners and operators of real estate businesses, which they have to satisfy before they can arrange to meet with you or others outside of their own homes or offices.

### **Can you view properties?**

The current Stay-At-Home Order which came into force on April 7, 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 only" (paragraph 9 of subsection 1(1) of the Stay-At-Home Order).



Even clearer is paragraph 21 of that same subsection, which says every individual shall remain at the residence unless leaving their residence is necessary for for the purpose of, “Making arrangements to purchase or sell a residence or to begin or end a residential lease.” (paragraph 21 of subsection 1(1) of the Stay-At-Home Order).

