

## ***State of Emergency: A Guide to Essential Real Estate***

### **DURING A PANDEMIC, WHAT REAL ESTATE SERVICES ARE CONSIDERED ESSENTIAL?**

**The following is New Brunswick Real Estate Association's (NBREA) internal analysis, in the interest of the health and safety of all concerned, of essential residential real estate services areas:**

NBREA has identified **5 different areas** of interaction for *residential* real estate:

#### **1. Homes/Properties with a Pending Sale with Conditions to be Satisfied**

- a. These are **essential transactions** – Buyers and Sellers are under contract, subject to conditions being satisfied.
- b. Most of these conditions can be satisfied virtually (up to 95%). All conditions except for inspection can be satisfied electronically without visiting the property.
- c. NBREA has provided all REALTORS® with an information piece and video on the best practices for home inspections and COVID-19 risk reduction strategies.
- d. Issues with COVID-19 safety protocols – inspection can be delayed up to 14 days so long as it does not interfere with closing date.

#### **2. Homes/Properties with a Firm Sale Not Yet Closed**

- a. These are **essential transactions** – logistically, sellers may have already moved, buyers may have already sold their previous houses or given notice for rentals.
- b. REALTORS® must respect best practices for social distancing in accessing the property and/or obtaining a key for the buyer.
- c. Lawyers now have the ability to witness signatures for affidavit documents by video call, or they may institute best practices for social distancing for face-to-face contact.
- d. NBREA is preparing a member information piece and video on how to safely conduct pre-closing inspections along with recommendations from lawyers on signing documents.

#### **3. Sellers with Homes/Properties for Sale**

- a. These transactions may be deemed essential or non-essential **depending on individual circumstances.**
- b. Examples of situations in which seller may be urgently required to list his or her home for sale:
  - Divorce – property must be listed for sale as per a court order.
  - Death in family and estate sale in progress.
  - Job Transfer / loss of job.
  - Foreclosure / Bankruptcy pending.

#### **4. Buyers Looking for Homes**

- a. These transactions may be **non-essential except under specific individual circumstances.**
- b. Examples of situations in which a buyer may be urgently in search of a home to purchase can include:
  - The buyer has sold his or her own house and needs to buy another one.
  - The buyer has been transferred to different city.
  - Life circumstances - divorce, separation, death, change in income.

#### **5. Sellers Wanting to List Home/Property**

- a. Homes and Properties not currently on the market that sellers wish to list for sale may be considered **non-essential transactions.** These are sellers who WANT to enter the market.
- b. If a seller NEEDS to list their home for sale, that is different **(See #3 above)**
- c. Listing properties may be accomplished without entering the home using many of the virtual tools available.

### **Summary**

Areas # 1 and # 2 above are deemed **more essential** and require some minimal interaction (Inspection for a condition and final walk-through for a closing).

Areas # 3 - 5 are non-essential (with exceptions), but the tasks should be done by use of virtual tools with the REALTOR®, the Seller and the Buyer working together using the technology available to list and show properties and write offers electronically.

### **Virtual Tools and Real Estate**

***It is NBREA's position that, wherever possible, virtual tools should replace face-to-face real estate interactions.***

It is important to understand that many of the tasks in Areas # 1 and # 2 may be accomplished entirely virtually and that a variety of virtual and other tools currently available to members are available to facilitate Areas # 3 - # 5. CREA is currently working to provide members with a variety of additional tools. Although video calls and video recording technology are not a fully equivalent substitute for personally seeing a property, this technology is still capable of providing much-needed valuable information. It is possible for the REALTOR® to use these tools and apps to build an entirely virtual presentation of the property. REALTORS® can create pictures, flyers, online brochures, video walk-throughs, informational videos, and possibly even 3D diagrams.

All this information is accessible remotely and, if clients require further information, the REALTOR® may use a variety of tools and means to obtain those details.

A variety of e-signature applications are available for writing offers. Many of these tools are directly incorporated into WEBForms®, which allows all parties to seamlessly initial and sign documents electronically and remotely.