



COVID-19 INDUSTRY GUIDANCE: Real Estate Transactions

July 29, 2020

[covid19.ca.gov](https://www.covid19.ca.gov)



OVERVIEW

On March 19, 2020, the State Public Health Officer and Director of the California Department of Public Health issued an order requiring most Californians to stay at home to disrupt the spread of COVID-19 among the population.

The impact of COVID-19 on the health of Californians is not yet fully known. Reported illness ranges from very mild (some people have no symptoms) to severe illness that may result in death. Certain groups, including people aged 65 or older and those with serious underlying medical conditions, such as heart or lung disease or diabetes, are at higher risk of hospitalization and serious complications. Transmission is most likely when people are in close contact or in a poorly ventilated area with an infected person, even if that person does not have any symptoms or has not yet developed symptoms.

Precise information about the number and rates of COVID-19 by industry or occupational groups, including among critical infrastructure workers, is not available at this time. There have been multiple outbreaks in a range of workplaces, indicating that workers are at risk of acquiring or transmitting COVID-19 infection. Examples of these workplaces include hospitals, long-term care facilities, prisons, food production, warehouses, meat processing plants, and grocery stores.

As stay-at-home orders are modified, it is essential that all possible steps be taken to ensure the safety of workers and the public.

Key prevention practices include:

- ✓ physical distancing to the maximum extent possible,
- ✓ use of face coverings by workers (where respiratory protection is not required) and customers/clients,
- ✓ frequent handwashing and regular cleaning and disinfection,
- ✓ training workers on these and other elements of the COVID-19 prevention plan.

In addition, it will be critical to have in place appropriate processes to identify new cases of illness in workplaces and, when they are identified, to intervene quickly and work with public health authorities to halt the spread of the virus.

PURPOSE

This document provides guidance for businesses operating in the real estate industry including sales and rentals of single-family, multi-family, apartment, commercial, and industrial properties to support a safe, clean environment for workers. The guidance is not intended to revoke or repeal any worker rights, either statutory, regulatory or collectively bargained, and is not exhaustive, as it does not include county health orders, nor is it a substitute for any existing safety and health-related regulatory requirements such as those of Cal/OSHA.¹ Stay current on changes to public health guidance and state/local orders, as the COVID-19 situation continues. Cal/OSHA has more comprehensive guidance on their [Cal/OSHA General Guidelines on Protecting Workers from COVID-19 webpage](#). CDC has additional requirements in their [guidance](#) for businesses and employers.

Required Use of Face Coverings

On June 18, CDPH issued [Guidance on the Use of Face Coverings](#), which broadly requires the use of face coverings for both members of the public and workers in all public and workplace settings where there is a high risk of exposure.

People in California must wear face coverings when they are engaged in work, whether at the workplace or performing work off-site, when:

- Interacting in-person with any member of the public;
- Working in any space visited by members of the public, regardless of whether anyone from the public is present at the time;
- Working in any space where food is prepared or packaged for sale or distribution to others;
- Working in or walking through common areas, such as hallways, stairways, elevators, and parking facilities;
- In any room or enclosed area where other people (except for members of the person's own household or residence) are present when unable to physically distance;
- Driving or operating any public transportation or paratransit vehicle, taxi, or private car service or ride-sharing vehicle when passengers are present. When no passengers are present, face coverings are strongly recommended.

Complete details, including all requirements and exemptions to these rules, can be found in the [guidance](#). Face coverings are strongly encouraged in other circumstances, and employers can implement additional face covering requirements in fulfilling their obligation to provide workers with a safe and healthful workplace. Employers must provide face coverings to workers or reimburse workers for the reasonable cost of obtaining them.

Employers should develop an accommodation policy for any worker who meets one of the exemptions from wearing a face covering. If a worker who would otherwise be required to wear a face covering because of frequent contact with others cannot wear one due to a medical condition, they should be provided with a non-restrictive alternative, such as a face shield with a drape attached to the bottom edge, if feasible, and if the medical condition permits it.

Businesses that are open to the public should be cognizant of the exemptions to wearing face coverings in the [CDPH Face Covering Guidance](#) and may not exclude any member of the public for not wearing a face covering if that person is complying with the [guidance](#). Businesses will need to develop policies for handling these exemptions among customers, clients, visitors, and workers.



Workplace Specific Plan

- Establish a written, workplace-specific COVID-19 prevention plan at every facility, perform a comprehensive risk assessment of all work areas and work tasks, and designate a person at each facility to implement the plan.
- Incorporate the [CDPH Face Covering Guidance](#) into the Workplace Specific Plan and include a policy for handling exemptions.
- Identify contact information for the local health department where the facility is located for communicating information about COVID-19 outbreaks among workers.
- Train and communicate with workers and worker representatives on the plan and make the plan available to workers and their representatives.
- Regularly evaluate the workplace for compliance with the plan and document and correct deficiencies identified.
- Investigate any COVID-19 illness and determine if any work-related factors could have contributed to risk of infection. Update the plan as needed to prevent further cases.
- Implement the necessary processes and protocols when a workplace has an outbreak, in accordance with [CDPH guidelines](#).
- Identify close contacts (within six feet for 15 minutes or more) of an infected worker and take steps to isolate COVID-19 positive worker(s) and close contacts.
- Adhere to the guidelines below. Failure to do so could result in workplace illnesses that may cause operations to be temporarily closed or limited.



Shown Properties Specific Plan

- Establish a written COVID-19 prevention plan to be followed by agents who show properties. Display a set of rules for agents and home viewers at the entrance of the property that are to be a condition of entry. The rules must include instructions to use face coverings and hand sanitizer. It must include instructions to maintain physical distancing and avoid touching surfaces of the shown property. The rules or a link to the rules should be part of online public and MLS listings. Posted rules should be clearly visible and include pictograms.
- Real estate and rental agents must confirm understanding of the rules

with visitors before showing the property and provide a digital copy of the COVID-19 prevention plan to clients, appraisers, inspectors, stagers, purchasing agents and contractors and obtain their agreement to follow the plan prior to entering the property.

- Regularly evaluate compliance with the plan and document and correct deficiencies identified.



Topics for Worker Training

- Information on [COVID-19](#), how to prevent it from spreading, and which underlying health conditions may make individuals more susceptible to contracting the virus.
- Self-screening at home, including temperature and/or symptom checks using [CDC guidelines](#).
- The importance of not coming to work:
 - If a worker has symptoms of COVID-19 as [described by the CDC, such as a fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea, vomiting, or diarrhea, OR](#)
 - If a worker was diagnosed with COVID-19 and has not yet been released from isolation, OR
 - If, within the past 14 days, a worker has had contact with someone who has been diagnosed with COVID-19 and is considered potentially infectious (i.e. still on isolation).
- To return to work after a worker receives a COVID-19 diagnosis only if 10 days have passed since symptoms first appeared, their symptoms have improved, and the worker has had no fevers (without the use of fever reducing medications) for the last 72 hours. A worker without symptoms who was diagnosed with COVID-19 can return to work only if 10 days have passed since the date of the first positive COVID-19 test.
- To seek medical attention if their symptoms become severe, including persistent pain or pressure in the chest, confusion, or bluish lips or face. Updates and further details are available on [CDC's webpage](#).
- The importance of frequent handwashing with soap and water, including scrubbing with soap for 20 seconds (or using hand sanitizer with at least 60% ethanol (preferred) or 70% isopropanol (if the product is inaccessible to unsupervised children when workers cannot get to a sink or

handwashing station, per [CDC guidelines](#)).

- The importance of physical distancing, both at work and off work time (see Physical Distancing section below).
- Proper use of face coverings, including:
 - Face coverings do not protect the wearer and are not personal protective equipment (PPE).
 - Face coverings can help protect people near the wearer, but do not replace the need for physical distancing and frequent handwashing.
 - Face coverings must cover the nose and mouth
 - Workers should wash or sanitize hands before and after using or adjusting face coverings.
 - Avoid touching eyes, nose, and mouth.
 - Face coverings must not be shared and should be washed or discarded after each shift.
- Information contained in the [CDPH Guidance for the Use of Face Coverings](#), which mandates the circumstances in which face coverings must be worn and the exemptions, as well as any policies, work rules, and practices the employer has adopted to ensure the use of face coverings. Training should also include the employer's policies on how people who are exempted from wearing a face covering will be handled.
- Ensure any independent contractors, temporary or contract, and all other workers at the facility are also properly trained in COVID-19 prevention policies and have necessary supplies and PPE. Discuss these responsibilities ahead of time with organizations supplying temporary, contract, and all other workers.
- Information on paid leave benefits the worker may be entitled to receive that would make it financially easier to stay at home. See additional information on [government programs supporting sick leave and worker's compensation for COVID-19](#), including workers' sick leave rights under the [Families First Coronavirus Response Act](#) and workers' rights to workers' compensation benefits and presumption of the work-relatedness of COVID-19 pursuant to the Governor's [Executive Order N-62-20](#) while that Order is in effect.



Individual Control Measures and Screening

- Provide temperature and/or symptom screenings for all workers at the beginning of their shift and any vendors, contractors, or other workers entering the establishment. Make sure the temperature/symptom screener avoids close contact with workers to the extent possible.
- If requiring self-screening at home, which is an appropriate alternative to providing it at the establishment, ensure that screening was performed prior to the worker leaving the home for their shift and follows [CDC guidelines](#), as described in the Topics for Worker Training section above.
- Encourage workers and customers who are sick or exhibiting symptoms of COVID-19 to stay home.
- Employers must provide and ensure workers use all required protective equipment, including eye protection and gloves where necessary.
- Employers should consider where disposable glove use may be helpful to supplement frequent handwashing or use of hand sanitizer; examples are for workers who are screening others for symptoms or handling commonly touched items.
- Employers, brokers, and real estate licensees must take reasonable measures, including posting signage in strategic and highly-visible locations and in reservation confirmations, to remind clients that they must use face coverings and practice physical distancing, and should to frequently wash their hands with soap for at least 20 seconds, use hand sanitizer, and not touch their face when viewing a property in person.
- Remind guests in advance to bring a face covering and make them available to anyone who arrives without one, if possible.



Cleaning and Disinfecting Protocols for Workplaces

- Perform thorough cleaning in high traffic areas of offices and other shared workspaces (lobbies, meeting rooms, break rooms, etc.) and areas of ingress and egress (handrails, stairways, elevator controls, etc.). Frequently disinfect commonly used surfaces in shared work areas like counters, light switches, door handles, etc.
- Avoid sharing phones, other work supplies, or office equipment wherever

possible. Never share PPE.

- Where such items must be shared, disinfect with a cleaner appropriate for the surface between shifts or uses, whichever is more frequent, including the following: shared office equipment, such as copiers, fax machines, printers, telephones, keyboards, staplers, staple removers, letter openers, surfaces in reception areas, shared work stations, etc.
- Instruct workers to wipe down and disinfect equipment that passes between workers and customers, including clipboards and keys after each use.
- Equip workplace terminals and desks with proper disinfecting products, including hand sanitizer and sanitizing wipes and provide personal hand sanitizers to all workers.
- Provide time for workers to implement cleaning practices at their workplaces during their shift. Cleaning assignments should be assigned during working hours as part of the worker's job duties.
- Ensure that sanitary facilities stay operational and stocked at all times and provide additional soap, paper towels, and hand sanitizer when needed.
- Install and encourage the use of hands-free devices, if possible, including motion sensor lights and automatic soap and paper towel dispensers.
- When choosing disinfecting chemicals, employers should use products approved for use against COVID-19 on the [Environmental Protection Agency \(EPA\)-approved](#) list and follow product instructions. Use disinfectants labeled to be effective against emerging viral pathogens, diluted household bleach solutions (5 tablespoons per gallon of water), or alcohol solutions with at least 70% alcohol that are appropriate for the surface. Provide workers training on the chemical hazards, manufacturer's directions, ventilation requirements, and Cal/OSHA requirements for safe use. Workers using cleaners or disinfectants should wear gloves and other protective equipment as required by the product. Follow the [asthma-safer cleaning methods](#) recommended by the California Department of Public Health and ensure proper ventilation.
- Require workers to clean and disinfect personal work areas often and supply the necessary cleaning products.
- Modify hours if necessary, to ensure regular, thorough cleaning of office spaces.
- Where possible, do not clean floors by sweeping or other methods that can disperse pathogens into the air. Use a vacuum with a HEPA filter wherever possible.

- Consider installing portable high-efficiency air cleaners, upgrading the building's air filters to the highest efficiency possible, and making other modifications to increase the quantity of outside air and ventilation in offices and other spaces.



Cleaning and Disinfecting Protocols for Shown Properties

- Thoroughly clean shown properties and disinfect commonly used surfaces including counters, door and cabinet handles, key lock boxes, keypads, toilets, sinks, light switches, etc. These surfaces must be cleaned and disinfected before and after each showing. Where possible, do not clean floors by sweeping or other methods that can disperse pathogens into the air. Use a vacuum with a HEPA filter wherever possible.
- During a showing, introduce fresh outside air, for example by opening doors/windows, weather permitting, and operating ventilation systems.
- Instruct workers to wipe down and disinfect equipment that passes between workers and customers, including clipboards and keys, after each use.
- Provide time for workers to implement cleaning practices at shown properties during their shift. Cleaning assignments should be assigned during working hours as part of the worker's job duties.
- Real estate licensees should ensure shown properties are equipped with proper products, including hand sanitizer and disinfecting wipes, for use by workers and clients as needed.
- All people entering a property, including agents, brokers, inspectors, and clients, must wash hands with soap and water or use hand sanitizer immediately upon entry and before touring or inspecting the property.
- Adjust or modify showings to provide adequate time for proper cleaning and disinfecting. If the property is currently occupied, ensure adequate time to disinfect after occupants leave for showings and before and after clients view the property.



Physical Distancing Guidelines for Workplaces

- Implement measures to ensure physical distancing of at least six feet between workers and customers. This can include use of physical partitions or visual cues (e.g., floor markings or signs to indicate to where workers should stand).
- Utilize work practices, when feasible and necessary, to limit the number of workers at the office at one time. This may include scheduling (e.g., staggering start/end times), establishing alternating days for on-site reporting, returning to the office workspace in phases, or continued use of telework when feasible.
- Redesign office spaces, cubicles, etc. and decrease the capacity for conference and meeting rooms to ensure workspaces allow for six feet between workers.
- Designate separate routes for entry and exit into office spaces to help maintain social distancing and lessen the instances of people closely passing each other, if possible. Establish directional hallways and passageways for foot traffic, if possible, to eliminate workers from passing by one another.
- Close or restrict, using barriers, or separating tables/chairs in common areas where personnel are likely to congregate and interact, such as kitchenettes and break rooms. Discourage workers from congregating in high traffic areas such as bathrooms and hallways. Limit the number of individuals riding in an elevator and ensure the use of face coverings.
- Close self-service coffee, water, and snack areas. Provide individual water bottles if there is no other suitable potable water source.
- Stagger worker breaks, within compliance with wage and hour regulations, to maintain physical distancing protocols.
- Consider offering workers who request modified duties options that minimize their contact with clients, prospective purchasers and renters, and other workers (e.g., managing inventory rather than working as a cashier or managing administrative needs through telework).
- Display signage at entrances and waiting areas to remind people of physical distancing, proper hand hygiene, and face covering usage at every opportunity. Dedicate staff to direct guests to meeting rooms upon entry to office space rather than congregating in lobbies or common areas.

- Discontinue nonessential travel and encourage distance meetings via phone and internet.
- Discontinue shared vehicle trips between workers, contractors, clients, etc. Each party should travel in their own vehicle to offices, properties, or other locations that require in-person activities.
- Require workers to avoid handshakes and similar greetings that break physical distance.
- Avoid passing transaction materials such as pens, paperwork, and keys back and forth between workers and customers.
- Complete real estate transactions with all related parties digitally if feasible. Maintain physical distance when in-person meetings are required with escrow agents, loan officers, mortgage brokers, etc. Meet in spaces that allow for at least six feet of physical distance, such as outside.
- Eliminate person-to-person contact for delivery of goods to physical offices. Avoid touching others' pens and clipboards.



Physical Distancing Guidelines for Shown Properties

- Use an appointment or digital sign-in process to control the number of people in the house or property. If current occupants are present and/or participate during property showings, in accordance with their legal rights, they should adhere to the same standards regarding physical distancing, proper cleaning and disinfecting protocols, and promote a safe environment for all persons present.
- Utilize virtual tours via digital technologies, social media, etc. in lieu of property showings or open houses whenever possible. If virtual tours are not feasible, limit the number of people present during showings. When a real estate licensee or renter is present, maintain physical distance at all times.
- Real estate licensees or sellers/renters must open doorways or other areas of ingress and egress prior to in-person property showings to minimize clients touching surfaces.
- Real estate licensees should remind clients to maintain physical distancing during showings and to refrain from touching handles, switches, pulls, etc.

- All persons on property for in-person showings should avoid touching knobs, faucets, toilets and toilet handles, light switches, garage door opener buttons, handles and pulls, alarm system controls, fan pulls, remotes, thermostats, switchboxes, gates and gate latches, window locks and sashes, pool coverings, and other such items.
- Prior to and concluding in-person showings, real estate licensees must disinfect mobility and safety fixtures on the property such as handrails and banisters, door knobs and locks, and any other surfaces that may have been touched during the showing.
- All home inspectors and prospective homebuyers who accompany the inspectors must have access to handwashing facilities and/or hand sanitizer.
- All information must be delivered electronically. Discontinue providing handouts or other types of promotional or informational materials.

¹Additional requirements must be considered for vulnerable populations. The real estate industry must comply with all [Cal/OSHA](#) standards and be prepared to adhere to its guidance as well as guidance from the [Centers for Disease Control and Prevention \(CDC\)](#) and the [California Department of Public Health \(CDPH\)](#). Additionally, employers must be prepared to alter their operations as those guidelines change.

