



CONDUCTING REAL ESTATE ACTIVITIES IN COVID-19 CLUSTERS

November 24, 2020: The Covid-19 virus infection rate is again on the rise. All members are reminded to take all necessary precautions to protect themselves, their clients, and all parties involved in a transaction.

As a reminder, on October 6, 2020, Governor Cuomo signed Executive Order 202.68 which established “cluster” groups designated as red, orange and yellow. Each group, red being the highest elevated infection rate cluster, to yellow being the lowest elevated infection rate cluster, have a corresponding restriction of permissible real estate activities. It is incumbent of all member to monitor the region within which they operate.

The following is a link to the NY State Micro Cluster Strategy with Cluster Zones and Maps
<https://forward.ny.gov/micro-cluster-strategy>

To search for zones by address, click on the following link:
<https://covidhotspotlookup.health.ny.gov/#/searchResults>.

RED ZONE:

In this zone, all real estate activities return to the period of time prior to any phase of reopening. In general, this means that all real estate activities in this area are to be conducted remotely, including showings, appraisals, inspections and other services necessary to complete a transfer of real property; provided, however, that any services that are “legally necessary” may be performed in-person so long as appropriate social distancing and cleaning/disinfecting protocols are observed. No brokerage or branch office is to remain open to the general public (i.e. no clients).

See NYSAR’s [**Frequently Asked Questions - Red Zone Hot Spots**](#)

ORANGE AND YELLOW ZONES:

In both these zones, all real estate activities return to Phase 2 reopening. All members must follow the “INTERIM GUIDANCE FOR REAL ESTATE SERVICES DURING THE COVID-19 PUBLIC HEALTH EMERGENCY” under Phase 2. Mass gatherings of ten or more people are prohibited in an “Orange Zone” and 25 or more people are prohibited in a “Yellow Zone”. Licensees should make every effort to avoid any such potential for “mass gatherings” when conducting a real estate activity such as an open house.

Open houses are permitted but only one party is permitted in the property at a time with appropriate face coverings. NYSAR strongly recommends that open houses be by appointment only. Members should avoid having parties waiting outside of an open house.

See NYSAR’s [**Frequently Asked Questions - Phase 2 Regional Re-opening**](#)
[**NYSAR Phase 2 Guidance for Real Estate Activity**](#)

Guidance above is provided for informational purposes only. For a legal opinion, please consult a personal attorney.