

TO: Minnesota Realtor® Members  
FROM: Christopher Galler, CEO & Susan Dioury, esq. Legal Counsel & Sr. Vice President  
RE: **OPEN HOUSE CONSIDERATIONS DURING COVID-19**

Thank you for following the guidelines issued during the initial COVID-19 Stay at Home orders. We understand this has been a stress-filled period. Our focus has been on working with the executive and legislative branches to provide you and your clients the ability to safely facilitate real estate transactions during Governor Walz's Orders to stay at home.

On May 13<sup>th</sup>, Governor Walz indicated that he will be ending the "Stay at Home" order ([EO 20-48](#)) for Minnesotans. Many members assumed, incorrectly, that this meant it was back to business as usual regarding open houses and other business activities. However, the Governor's new order ([EO 20-56](#)) states that businesses whose workers qualified for a Critical Sector exemption in [EO 20-48](#) may continue to operate in the same manner as provided in order 20-48. We wish the world could take a step backwards and return to the pre-COVID days, but that is not realistic. Under EO 20-48 critical workers must follow these restrictions and requirements:

1. **Travel Restriction:** Critical worker exemptions apply **ONLY** to travel to and from an individual's home or residence and place of work. (This includes driving to and from daycare or school.)
2. **Cannot Be Done at Home:** They also apply **ONLY** when an individual's performance of work duties **CANNOT** be done at their homes or residence;
3. **Must Follow Guidelines:** Any facilitation of real estate transactions must be done to the maximum extent possible, in a manner that adheres to the [MN Occupational Safety and Health Standards](#) and the MN Department of Health ("[MDH Guidelines](#)") and [CDC Guidelines](#) related to COVID-19.

Governor Walz's new order does however expand the ability for customer facing businesses (i.e. businesses that have in-person customer interactions) to do business so long as they include additional plan provisions to keep the public and workers safe. There are no direct government guidelines provided for real estate practitioners that intend to have general customer facing business interactions like open houses. Thus, you will need to infer what provisions of DEED's Plan Guidance may apply to your business practice in the event you and your client determine that a customer facing open house is necessary to facilitate a real estate transaction at this time. Members conduct a wide variety of open houses. Some homes are new construction without furniture or floor coverings. Other properties are the home of older Minnesotans or those with immune deficiency issues. Some are multi-family homes with a full range of residents and circumstances. Individual properties will require different COVID-19 precautions.

We understand that plans are extremely important for you in providing direction to your associates on how to work and keep safe. In this document we are providing you with issues to consider based on the guidance offered from the [Department of Employment and Economic Development \(DEED\)](#), Centers for Disease Control and Prevention (CDC), and Minnesota Department of Health (MDH) COVID-19 guidelines.

Because this virus is new, scientists and doctors are finding out more and more everyday about transmittal and infection protocols. We strongly urge you to remain vigilant and routinely refer to the [OSHA, MDH, CDC, and DEED Guidelines](#) related to COVID-19 for revised updates.

In summary, you should consider adopting a plan that incorporates site-specific best practices surrounding health and wellness, social distancing, cleaning, sanitation and protection, and operations and communications with your sales associates, clients, and visitors in mind. Please see the [5/18/20 MNR Open House Considerations](#) for more detail.

Thank you for your support and your commitment to keeping Minnesotans safe.