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## Guidance to the Real Estate Industry regarding the Napa County Shelter at Home Order

This guidance explains that the Shelter at Home identifies real estate transactions as essential activities that may continue, identifies the requirements appointments and residential viewings, and provides information to keep buyers, sellers, and real estate professionals safe.

Section 13(f)(x) of the Shelter at Home Order identifies the following as an Essential Business:

- x. Service providers that enable residential transactions (including rentals, leases, and home sales), including but not limited to real estate agents, escrow agents, notaries, and title companies. Residential viewings should occur virtually as much as possible. In person residential viewings shall be by appointment only, with no more than two visitors at a time residing within the same household or living unit and one individual showing the unit. In person visits are not allowed when the occupant is still residing in the residence unless gloves, cloth face coverings and shoe coverings are worn during the visit, there is no contact with staging items or personal property during the showing, and the seller or landlord cleans the property after the visit with products on the Environmental Protection Agency's approved list of disinfectants, paying attention to any areas that may be commonly touched, such as door knobs, handles, counter tops, and staging items;

The following answers questions posed by the real estate industry.

### **Question: Can real estate agents show residences in person? Or if I just closed on a home, can I do a walk-through of the home with the agent or seller?**

**Answer:** Yes, with restrictions. Residential viewings should occur virtually as much as possible. In-person showings can occur by appointment with no more than two visitors at a time from the same household, and only one agent showing the unit. In-person showings or walk-throughs are not allowed when the occupant is still living in the residence unless gloves, cloth face coverings and shoe coverings are worn during the visit, there is no contact with staging items or personal property during the showing, and the seller or landlord cleans the property after the visit with products on the Environmental Protection Agency's approved list of disinfectants, paying attention to any areas that may be commonly touched, such as door knobs, handles, counter tops, and staging items. These restrictions are similar to those identified in the California Association of REALTORS® Coronavirus Property Entry Advisory and Declaration (PEAD).

**Question: For purposes of the real estate provisions of the Order, when is an occupant “still residing in the residence”?**

**Answer:** A home is occupied if it has inhabitants – i.e. one or more people are living in the residence. A home is unoccupied if its occupants have moved out while the home is on the market.

**Question: Which service providers can access a home to facilitate a real estate transaction if their work cannot feasibly be performed virtually?**

**Answer:** The following are examples of the types of service providers that may access a home for the purposes of work related to a real estate transactions, real estate agents, home inspectors, furniture stagers, real estate photographers/videographers, appraisers, contractors, and service providers who must perform work on or at a residence to make it safe, secure, and habitable. All service providers must meet all requirements of the order, including Social Distancing. For example, staging may be undertaken only if Social Distancing can be maintained in the delivery and removal of the staging items, and if there is no contact with the items during showings. Realtors, prospective buyers, and service providers also should follow County recommendations regarding the wearing of masks or face coverings during their work.

**Question: Do service providers accessing home to make to facilitate a real estate transaction need to carry a copy of their Social Distancing Protocol while in the field?**

**Answer:** Generally, yes. Each service provider must be an Essential Business and be in compliance with the Shelter In Place Order’s Social Distancing Protocol requirement to ensure the safety of the public, employees, and current / future occupants of properties that are the subject of real estate transactions during the Shelter In Place Order. A copy of the Social Distancing Protocol should be carried while in the field because the Order requires, among other things, that all Essential Businesses implement the Social Distancing Protocol and provide evidence of its implementation to any authority enforcing the Order upon demand. Essential businesses must post their Social Distancing Protocol at their place of business. Employees, self-employed contractors, individual agents, REALTORS®, and similar service providers who work in the field at clients’ residences, should carry a copy of their Social Distancing Protocol in order to be able to provide it on demand to any authority.