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Governor Wolf Announces Real Estate Industry May Conduct Limited Business Transactions Statewide

[Governor Amendment to the Business Closure Order](#)
[Secretary of Health Amendment to the Business Closure Order](#)

Harrisburg, PA — Governor Tom Wolf today announced that starting today, businesses and employees in the real estate industry may conduct limited business-related activities statewide and provided [guidance](#) for this industry to operate in red phase and yellow phase counties.

“We continue to review our policies and the scientific data to determine the safest approach for all activities in the commonwealth,” Governor Wolf said. “While at this point more than two-thirds of the state will be in the yellow phase of the state’s reopening plan by Friday, May 22, we are still evaluating how industries may be able to conduct business appropriately in red phase counties, including the real estate industry.

“This industry impacts numerous types of businesses and Pennsylvania homebuyers who are in the process of, or considering, purchasing a home. It’s critical that these businesses, regardless of whether they are in red phase or yellow phase counties, strictly adhere to all appropriate guidelines and guidance,” Governor Wolf said.

Previously, businesses and employees in the real estate industry were permitted to conduct limited in-person activities in counties in the yellow phase of the commonwealth’s [phased reopening plan](#).

The real estate guidance requires businesses and employees to follow all applicable provisions of the [Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public](#), which includes provisions requiring that every person present at a work site, business location, or property offered for sale, wear masks/face coverings, and

provisions requiring the establishment of protocols for execution upon discovery that the business has been exposed to a person who is a probable or confirmed case of COVID-19.

All in-person activities should be scheduled and limited to no more than the real estate professional and two people inside a property at any time, exercising appropriate social distancing.

When conducting settlements/closings utilize remote notary, powers of attorney or the exchange of contract documents electronically or by mail wherever possible. Where it is not possible to conduct settlement/ closing via remote notary or POA, attendance in-person must be limited to required signatories and their legal counsel or real estate professional only, and steps to preserve social distancing must be followed to the maximum extent possible.

Businesses and employees are also encouraged to provide sellers with relevant safety information and protocols for cleaning and sanitizing properties; utilize electronic marketing as much as possible; provide all individuals at an in-person activity with a verbal health screening; stagger scheduling of property showings; avoid physical contact with the property by staging in advance to prevent the need for interaction with items like lights, interior doors, drapes and blinds; and minimize time spent in the property by having discussions away from the property via remote means.

The governor today vetoed House Bill 2412, which does not provide enough safety protocols for the COVID-19 public health crisis. Further, the legislation would have placed restrictions on municipalities related to property transfers; specifically, it would have eliminated a municipality's ability to issue use and occupancy permits and conduct safety inspections, which are conditions of a property transfer.