



## **Real Estate Gathering Restrictions Lifted**

As you may know, on Monday a new DHHS Order came out that goes into effect on June 1, 2021. The new rules no longer regulate gatherings that take place at a residence. For other types of gatherings, the rules provide that no one is required to wear a mask outdoors and vaccinated people do not need to wear masks indoors.

Under the new DHHS Order, effective June 1st, there are no longer any regulatory limits on the number of persons viewing a home during an open house or other showing. Moreover, the regulations on masks and social distancing no longer apply to home showings.

Of course, each and every homeowner can continue to impose their own mask/distancing rules on persons entering their home. **For Realtors® representing sellers and buyers, it is important to note that as a condition of viewing their home, sellers could, for example, require that a mask be worn by all unvaccinated persons or even that a mask be worn by all persons whether or not vaccinated.**

However, while it is not a violation of HIPAA to inquire as to a person's vaccination status, it is certainly true that to many, this is a particularly sensitive inquiry. Sellers who wish to require unvaccinated people to wear a mask could put Realtors® in a difficult position – dealing on one hand with potential buyers who may resent the inquiry, and on the other hand with the sellers who are looking to the Realtor® to verify the vaccine status of each prospective buyer who visits their home. Given the difficulty of this situation, if a seller is not comfortable allowing unvaccinated people in their home without a mask, an easier policy may be to simply require all persons who visit the home to wear a mask.

We will keep monitoring any new guidance from MDHHS and update membership accordingly. Please direct any questions to Brian Westrin at [bwestrin@mirealtors.com](mailto:bwestrin@mirealtors.com).