

COVID-19: Best Practice Protocols

AREA's best practices include being up to date on government recommendations and helping your clients assess the risks associated with each stage of the buying or selling process so they can make informed decisions.

Assess and Discuss Risks

AREA has produced [practice tips](#) and a [consumer guide](#) to help you implement consistent assessment protocols in your practice. These include knowing the current government recommendations for social distancing and ensuring clients are up to date by providing them [links to the government website](#). You must also ask COVID-19 health and travel questions of all parties and their representatives:

- Before you agree to a face-to-face meeting with a client
- Before a seller accepts a showing request
- Before a buyer proceeds with viewing a home

Responses to these questions will help you determine if you should meet with a client in person, helps the seller decide if they should proceed in showing their home to the buyer, and helps the buyer determine if they are comfortable viewing a property. AREA's [practice tips](#) include a list of these questions, and various brokerages and industry organizations have produced optional forms for documenting responses to these COVID-19 questions. Your broker will provide guidance on their preferences regarding forms and documentation to use as part of the assessment process.

Discussions must be ongoing so you know your clients are confident with each decision to show or view a home. Should they wish to cancel an appointment, you must inform the other party or their REALTOR® as soon as possible that your client has decided to not move forward with showing or viewing the home.

Direct clients to seek legal advice

Clients should be advised to obtain legal advice for their unique COVID-19 concerns and contract needs, including questions about showing risks or clauses to include in the purchase contract. They should also seek advice before signing supplementary forms provided by your brokerage or other third parties.

Know your brokerage policies for forms and clauses

Your broker can provide guidance regarding your COVID-19 brokerage policies, including forms or clauses they may require.

AREA's optional Hold Harmless Agreement is a tool brokerages may choose to use. These agreements are specific to viewing a property (for buyers) or agreeing to show their property to potential buyers (for sellers). The Hold Harmless Agreements are not mandatory for use. If you choose to use them, before asking a client to sign a Hold Harmless Agreement, you must first:

1. Ensure they are up to date on the Government of Alberta recommendations for social distancing.
2. Help them assess the risks associated with each property showing (as outlined in the protocols) so they can make informed decisions to view a home or accept a showing request based on the information provided.
3. Assure them they can cancel scheduled or approved showings at any time. While it may inconvenience the other party, neither buyers nor sellers should feel pressured to move forward with a showing if they are not comfortable doing so. In the case of a cancellation, you must inform the other party or their REALTOR® as soon as possible that your client has decided to not move forward with showing or viewing the home.
4. Explain the Hold Harmless Agreement and advise them to seek legal advice before signing the form.

The discussions outlined in these four steps are essential to the enforceability of the Hold Harmless Agreements.

The hold harmless agreements are property-specific and do not extend to third parties. Brokerages looking for additional forms or waivers for COVID-19 should seek advice from their lawyers and clients must be advised to seek legal advice before signing.