



## **Stay at Home Order to Include Real Estate**

In response to Mayor Strickland's "[Safer at Home](#)" [Executive Order](#)—which goes into effect Tuesday, March 24 at 6 p.m.—MAAR advocated for real estate businesses to be considered "essential," ensuring that our members are able to continue working during the time that the order is in effect.

Upon seeking clarification on the Order, we received the following response from the City of Memphis Chief Legal Officer, Jennifer Sink:

***"Having secure housing is, indeed, essential. As such, real estate agents and related services as outlined in your letter are allowed under Mayor Strickland's Safer at Home Executive Order.***

***Housing and activities necessary to secure housing are essential to the health and safety of our community, an activity considered essential under the Order. Section 6(xviii) of the Executive Order provides that an essential business includes "[b]usinesses that provide goods and services exclusively through...delivery."***

***A real estate agent showing a home is a service delivered at the location of the showing, not a brick-and-mortar business facility as contemplated by the Order.***

***Prospective buyers in need of procuring housing fall within the category of permitted travel for essential services, as attending the showing would be travel to perform tasks essential to "health and safety" under Section 5(i). As such, a REALTOR®'s business is considered an essential business.***

***Further, services required to complete the real estate transaction are considered essential, including appraisals, legal services, and services related to the execution and renewal of a lease. Any service necessary to facilitate the secure housing of an individual is considered essential, even if not specifically listed.***

***Having safe and properly maintained housing is also essential. Property managers are considered essential, and all property managers and landlords should continue to provide maintenance, repairs, security, and any other services that are necessary to maintain the health and welfare of their tenants' residences.***

***However, the real estate agent, support staff, property managers, etc. must all abide by the Social Distancing Requirements as required under the Order. During a home showing, the REALTOR® must adhere to the private gathering restriction of 10 people or less."***

With input from MAAR, [the City's website](#) has been updated to provide further clarification on the examples of "[essential businesses](#)." The update explicitly includes real estate agents and services. View the full [Safer at Home Executive Order](#) issued by Mayor Jim Strickland.