

1. Watch Letter of The Law | Three Week Pause Requirements and Best Practices.



MICHIGAN REALTORS®

Letter of The Law

Three Week Pause Best Practices

November 2020

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Industry Resources

2. FAQs for Showing Tenant-Occupied Property.

This set of questions addresses issues surrounding the marketing of tenant-occupied property during the COVID-19 pandemic.

QUESTION: Can I show a home that I have listed for sale if the home is leased?

ANSWER: The seller/landlord will need the tenant's consent. Some lease forms give the landlord the right to show the home. If the lease does not give the landlord access to the home for this purpose, the landlord will need to obtain the tenant's consent.

QUESTION: If the lease requires the tenant to permit showings, can the tenant be required to vacate the property during the showings?

ANSWER: No, not unless the lease requires them to do so (which is unlikely). Currently the "two household" residential gathering limitation would apply in this instance.

QUESTION: What if the lease requires the tenant to permit showings but the tenant refuses to do so?

ANSWER: The landlord will need to get an attorney. Under no circumstances should an agent enter a home over the objection of the tenant who lives there.

3. Office Protocols

Under the "Three Week Pause" and the current MIOSHA Rule, remote work continues to be prioritized unless the work cannot feasibly be done remotely. Real estate brokerages and association offices will need to make independent business decisions based on whether the respective office work cannot feasibly be done remotely. In making this decision, it will be important to note that the Governor has repeatedly stressed the importance of COVID-19 Protocols and the necessity of a COVID-19 Preparedness Plan for all businesses, while placing additional scrutiny on businesses that require employees to come into the office as a condition of employment. Firms and association offices will want to have a strong argument that work in the office is necessary and ensure that staffing is as limited as possible.

Review the COVID-19 Preparedness Toolkit here.



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Michigan Realtors®
www.mirealtors.com
720 N. Washington Ave
Lansing, MI 48906
USA
800-454-7842