

## NBREA

### Frequently Asked Questions – Living in the Green Phase

#### 1. What are my requirements as an Agency(firm) as it relates to COVID-19?

On July 30, 2021, at midnight, the Province of New Brunswick State of Emergency and Mandatory Order was not renewed. This had the effect of removing all mandated public health and travel restrictions within the Province of New Brunswick. [NBREA issued a dispatch \(click link\)](#) which should help REALTORS® understand their current requirements.

As an employer, Agent(firms) and REALTORS® have a requirement to comply with the Occupational Health and Safety Act. This Act requires employers to have in place prevention efforts to eliminate or minimize the risk of transmission of communicable diseases in your workplace. To do this, employers may want to transition their current operational plans to a Communicable Disease Prevention Plan (CDPP). WorkSafe and the Province of NB have also issued resources which will be helpful as you prepare your updated plan.

Source	Resource Link
WorkSafe NB	<a href="#">Communicable Disease Prevention. A guide for New Brunswick Employers</a>
WorkSafe NB	<a href="#">Green and Beyond: Communicable disease prevention (WorkSafe NB website)</a>
Province of NB	<a href="#">Living with COVID-19 Protective Health Measures</a>

#### 2. Can I hold an in-person open house?

Yes, subject to any requirements of your local real estate board, in-person open-houses may resume. However, those hosting in-person open houses are encouraged to continue to implement best practice public health measures to minimize the risk of spreading any illnesses including COVID-19. These measures may include items such as physical distancing, hand sanitization, wearing masks, enhanced cleaning before and after the open-house and contact tracing.

#### 3. Should I continue to complete contact tracing?

While contact tracing is no longer a requirement given that the Mandatory Order is no longer in effect, Public Health may still request this information from individuals who test positive for COVID-19. For this reason, Agent (firms) and REALTORS® may choose to continue to retain contact tracing information as a best practice. Caution should be exercised when retaining this information that it does not violate any privacy laws. The NBREA Showlog web application is an excellent tool which can be utilized to retain contact tracing information.

**4. Should I continue to use property showing acknowledgement forms or Showlog?**

This is a decision of your Agent (firm). The property showing acknowledgement forms provided by NBREA are a tool that can be used for purposes of screening or contact tracing. These forms are not a requirement; however, some Agent (firms) may choose to continue to use these forms or may continue to utilize the Showlog web application as a best practice for screening or contact tracing purposes.

**5. I am worried about protecting my clients. What can I do?**

Every REALTOR® and every client will transition to the Green differently. Some will feel excited and eager to resume a normal lifestyle, others will continue to feel stressed, anxious, or worried. For those who may be worried about protecting their clients or family members, it is a best practice to continue to implement public health measures such as physical distancing, wearing masks, hand washing or sanitizing, screening, enhanced cleaning procedures and contact tracing. Following these measures are the best way to help prevent the spread of COVID-19.

**6. Is my seller allowed to require buyers to comply with certain safety requirements during showings such as hand sanitizing, wearing masks, screening?**

Yes, NBREA takes the position that a seller is permitted to impose whatever conditions they choose before allowing someone onto their property. We also suggest that each Agent (firm) or REALTOR® should consult the local rules of their real estate boards for showings. NBREA takes the position that following public health measures such as physical distancing, wearing masks, hand washing or sanitizing, screening, enhanced cleaning procedures and contact tracing can continue as a best practice even though they are no longer a requirement.

**7. Are we still required to have an operational plan?**

With the non-renewal of the Mandatory Order, the requirement for all businesses to have a written operational plan is no longer in effect. However, NBREA takes the position that either retaining/amending your operational plan or transitioning it to a more general Communicable Disease Prevention Plan (CDPP) would be a best practice. This CDPP can continue to be utilized as a tool for Agent (firm)'s REALTORS® or staff in understanding what workplace procedures you would like them to follow based on the risk level within your workplace (which would include home showings).

**8. If my client is sick, should I continue with a showing?**

NBREA suggests that if a person develops two or more symptoms of COVID-19, they should get tested for COVID-19. To complete this process they can utilize the self-assessment tool available on-line [Self-Assessment Tool](#) or they can call 811. While not required, it is a best practice that if a person has two or more symptoms of COVID-19, the showing should be rescheduled.

**9. Does my client from Quebec, Ontario or another province outside of Atlantic Canada need to self-isolate when arriving in NB for a showing?**

No, due to the non-renewal of the NB Mandatory Order in effect, there are no travel restrictions in place or self-isolation requirements for persons traveling into New Brunswick from another province within Canada. It is important to note that there may be travel requirements or restrictions when traveling into another province from New Brunswick. Individuals are cautioned to do their own research before they travel to other provinces.

**10. Does my client from the United States or another country need to self-isolate when arriving in NB for showings?**

Yes, it is possible that individuals traveling into Canada including New Brunswick from a country outside of Canada may need to self-isolate. While the Province of New Brunswick did not renew the Mandatory Order, there may still be federal restrictions in place that could impact your clients. This requirement may also depend on their vaccination status. For up-to-date information regarding traveling into Canada from another country including the United States please click the following: [COVID-19 Travel, testing, quarantine and borders.](#)

**11. What should I do if an associated REALTOR® or a client tests positive?**

It is suggested that in this situation, you should follow any advice you may receive from Public Health. If you have any questions, it is suggested you contact Public Health Tele-Care at 811 if it is a health-related question or at 1-844-462-8387 if it is a non-health related question.

**12. I have heard that some employers are utilizing rapid testing kits on employees as part of their Communicable Disease Prevention Plans. Where can I access these kits?**

The Fredericton Chamber of Commerce, the Saint John Regional Chamber of Commerce, the Chamber of Commerce for Greater Moncton, and the Edmundston Chamber of Commerce are now offering free rapid COVID-19 testing kits to small and medium sized organizations in New Brunswick. They are offering these tests for organizations to regularly test their staff and employees.

As more and more New Brunswickers receive their first and second doses of the vaccine, we are taking the proper steps to protect our population. However, it is still possible for vaccinated individuals to contract COVID and, even if they never show symptoms, they risk transmitting the virus to others who may be more vulnerable.

These tests are self-administered. You may be able to access rapid testing kits from the following Chambers in the province:

Fredericton: <https://www.frederictonchamber.ca/covid-19-rapid-testing/>

Moncton: <https://ccgm.ca/rapid-testing/>

Saint John: <https://thechambersj.com/rapid-testing>

Edmundston: <https://ccedmundston.com/en>

**13. Could I consider implementing a vaccine proof requirement when dealing with clients?**

It is our understanding that an Agent or REALTOR® may ask about the vaccination status of a REALTOR® or a client. However, it is important to note that any adverse treatment of an individual because of their vaccination status in relation to employment or the sale of a property (subsection 5(2)) of the *Human Rights Act* could violate their rights under the *Human Rights Act*. It is unclear if a voluntary decision to remain unvaccinated would engage protection from discrimination under the head of “physical disability”. However, it is very possible that it would be a breach to treat someone adversely because they are not vaccinated if their failure to vaccinate is because it is medically risky or impossible for that person. If you encounter such situations, NBREA recommends you seek your own legal advice to determine if any action you take could lead to a breach of the *Human Rights Act*.