



## Sellers may request proof of vaccination for home showings

On September 13, the province implemented a vaccine passport program that requires people to show proof of vaccination to access [certain social and recreational events and businesses in BC](#).

This health order didn't include guidance for people entering a home for business purposes (i.e., a showing or open house).

To help clarify your options, the Canadian Real Estate Association's (CREA) legal team has reviewed the vaccine programs rolling out across the country.

They advise that sellers can require potential buyers to provide proof of vaccination at in-person showings if their REALTOR® also provides reasonable alternatives to in-person showings like virtual showings.

"It is reasonable for the seller to request proof of vaccination, as it is to require the use of masks, social distancing and other measures as per advice from local and provincial health authorities," says CREA's legal team.

Given this opinion, we strongly recommend that any request to limit a showing or open house to vaccinated attendees only come from a client. Realtors should not make this request on their own.

### Documenting your seller's request

If you're representing a seller who wishes to implement a proof of vaccine requirement at in-person showings, we further recommend getting that instruction in writing and including it in the Schedule A on the listing.

Some members have asked why the Board doesn't mandate proof of vaccinations at in-

person showings. The legal advice we've received to date warns against such an approach.

"There may be privacy, human rights and competition law issues if a Realtor or Board/Association institutes a business practice that prohibits in-person showings from those who are not fully vaccinated unless directed to do so by provincial or federal authorities. For this reason, there is a risk of a lawsuit or complaint being made," says CREA's legal counsel.

We've also reached out to the BC Financial Services Authority, BC's real estate regulator, for more information on how BC's vaccine passport program relates to your work. We'll share more information as it becomes available.

## **Practicing real estate safely**

The fight against COVID-19 remains a fluid and challenging situation in our province.

We encourage you to stay engaged, follow the latest instructions and guidance and to work with your clients to accommodate their unique needs and requirements in this pandemic.

For more information on this topic, read:

- [Guidelines for showings](#)
- [Guidelines for offices and Managing Brokers](#)
- [WorkSafeBC Real Estate Guidelines](#)