

**From:** NYSAR <nyrealtors@nysar.org>  
**Sent:** Sunday, March 29, 2020 4:03 PM  
**Subject:** NYSAR COVID-19 Update, Sunday, March 29, 2020

# #strongerTogetherR

[www.nysarcovidupdates.com](http://www.nysarcovidupdates.com)

**Stay informed and updated about COVID-19 and the impact it is having on New York REALTORS® and New York State.**



Hello NYSAR members, your leadership team hopes that this email finds you and your families well.

Thank you to those of you who have communicated to NYSAR during these unprecedented times for New York State and the real estate industry. Your comments help NYSAR understand the impact of the mandated Executive Order affecting your business.

We often get the question asking what NYSAR is doing to clarify what our members can and cannot do under Governor Cuomo's Executive Order that effectively stopped us from performing any of our normal business activities unless they can be conducted at home. In short, NYSAR has been making the case on a regular basis to the Empire State Development (ESD) that real estate brokerage is an essential business activity and that while some practices like open houses do not make sense under CDC guidelines, many other practices do. We have supplied the ESD with supporting facts for essential status as recently as last night in our non-stop effort to gain clarity.

We have heard your frustration that some of our FAQ answers do not give definitive guidance. We have made the decision to only disseminate verifiable facts from ESD. We are working around the clock to get answers to your specific business questions.

As a trade association, the information we provide should not subject any member to potential liability. If there is a matter that lies in a grey area, we believe it is more harmful to provide unverified guidance. NYSAR membership consists of roughly 58,000 members from several different business models, practices and brokerage sizes. The legal information provided by

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NYSAR may differ from that provided by counsel retained by a broker. Private counsel will provide opinions based upon a discussion with their client and the level of potential liability the client is comfortable assuming. NYSAR is unable to provide this type of one-on-one service.

NYSAR is working to give the membership opportunities to hone their professional skills through free and reduced cost educational opportunities. We also suggest that you may want to consider completing the NAR C2EX program <https://www.nar.realtor/commitment-to-excellence-c2ex>.

NYSAR is also working with NAR and the NYS Department of Labor to put together the information you will need to apply for newly enacted federal financial aid such as the Pandemic Unemployment Assistance program which will provide help to independent contractors.

We want to remind our members not to violate the Executive Order which can result in state enforcement. Violations of the Executive Order may violate the NYS License Law and the NAR Code of Ethics. Please assume that any real estate business activity you do outside of your home is potentially a violation of the Executive Order.

Please know that we are working every day to get the ESD to acknowledge real estate brokerage and related activities as an essential business. We will continue to send you updates as new information becomes available.

Be well everyone.

Regards

Jennifer Stevenson, President

David Legaz, President-Elect

Jennifer Vucetic, Secretary-Treasurer

Duncan MacKenzie, CEO

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