

**From:** NYSAR <nyrealtors@nysar.org>  
**Sent:** Tuesday, April 21, 2020 3:59 PM  
**Subject:** Flash Update - NYSAR releases COVID-19 Disclosure Form



**April 21, 2020**

Dear NYSAR members,

NYSAR has developed a COVID-19 Disclosure form for members to utilize when a seller permits an individual access to the property or when a buyer is going to access the seller's property. In the event the seller and/or buyer is exposed to COVID-19 as a result of permitting or gaining access to the property, the form acts a disclosure notice outlining the risks and having the party acknowledge that they are assuming such risk through their actions. If a licensee and/or broker were named in a lawsuit alleging exposure to COVID-19 by the seller and/or buyer (or a member of their household), the form could be used to show the seller and/or buyer were aware of the risks and assumed the risk of permitting access or gaining access to the property. The form may be used for the duration of any COVID-19 related risks beyond the current State of Emergency.

For answers to other questions related to COVID-19 and the practice of real estate, please see the NYSAR FAQ's [HERE](#).

**CURRENTLY IN-PERSON SHOWINGS ARE PROHIBITED UNDER THE EXECUTIVE ORDER. USE OF THE FORM DOES NOT PERMIT A LICENSEE TO PERFORM IN-PERSON SHOWINGS.**

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How to use the NYSAR COVID-19 Disclosure form:

- The form is **OPTIONAL**.
- You **must** have the permission of your broker before utilizing the form. Your broker may require you to either: a) use the NYSAR form; b) use a form the broker had prepared; or c) not use any form.
- The form has been provided to local boards, MLS' and brokers previously and they may have released the form already with their name and/or logo.
- Licensees should present the form to the seller or buyer in the same manner an agency disclosure form is presented.
- The COVID-19 Disclosure form notifies the seller and buyer of the risks associated with permitting an individual to enter the property or by entering another individual's property.
- By signing the form, the seller or buyer acknowledge that by permitting such access or by accessing the property they assume the risk of potential exposure to COVID-19. Licensees should explain to the seller and/or buyer that the form outlines the risks of COVID-19 exposure and by signing the form they are acknowledging and assuming such risks.
- Licensees should have the seller and/or buyer sign the form, print their name next to their signature and provide a signed copy to the seller and/or buyer and retain a signed copy for the broker's file.
- The seller and buyer do not have to sign the same form and are only required to sign the form once.
- The form may be delivered in any manner currently permitted by law included but not limited to paper and electronic transmission.
- A copy of the form can be found **HERE**.

For questions on the use of the COVID-19 Disclosure form, please contact NYSAR's Legal Hotline. The Legal Hotline is available Monday-Friday from 9:00am-4:00pm at 518-436-9727.

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[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.

