

CONDUCTING INSPECTIONS

This is a reference guide to
assist with conducting
inspections by appointment

Version 1
DATE : 08 May 2020

www.reiv.com.au/covid-19



REIV

Conducting Inspections – A reference guide

While care has been taken to insure that the information contained here is true and correct at the time of the publication, changes in the circumstances may impact the accuracy of this information. The REIV recommends members only consider the advice provided by government agencies and official health experts when considering and implementing any Coronavirus-related workplace health and safety policies.

In this document we answer frequently asked questions regarding inspections during the State of Emergency. The information in this guide is of a general nature only and is not a substitute for any advice provided by a government agency or qualified medical entity. Any references to third party products and services do not represent an endorsement of any kind from the REIV and we recommend that you conduct your own inquiries to confirm their suitability to you and your compliance requirements.

For further support, please contact REIV Information Officers on **9205 6666**.

Open Homes are not permitted

Open homes are not permitted. Inspections can be carried out by private appointment only. This applies for sales and leasing.

Inspections for lease and sale

Inspections may be carried out by private appointment or virtually.

Please read the complete information to understand the parameters under which private inspections may be conducted.

Clause 11(3)(c) of the Stay at Home Direction (SAHD) allows a person to permit another person to enter their place of residence if it is necessary for the second person to enter the premises for the purpose of their work. Therefore, a person may permit an estate agent to enter the person's place of residence to allow the estate agent to undertake their work related to the place of residence.

REIV Note: This enables people, not just estate agents, to enter properties to do their work. It can apply to appraisals, valuations, pest/termite and building inspections and any repair work.

Clause 11(3)(d) of the SAHD also allows a person to permit another person to enter their place of residence if the second person is entering for the purposes of attending a private inspection of the premises for the purposes of a prospective sale or rental of the property.

REIV Note: This applies to Estate Agents, Agent's Representatives, Buyer and Vendor advocates, Property Managers and prospective tenants or purchasers.

- **Inspections of occupied properties**

Private inspections of an occupied/tenanted residential property are permitted to be organised. An inspection is only permitted where an estate agent and one other person (the person for whom the inspection is organised by private appointment) are present at the premises.

REIV Note: This means only two people in the property at any given time.

An inspection where an estate agent, the prospective tenant/purchaser and a resident of the premises are all present is not permitted. In this case the resident of the premises will have to leave the premises, and should do so for a reason permitted under the SAHD, namely, to obtain necessary goods or services, for care and other compassionate reasons, to attend work or education or to exercise.

REIV Note: Agents must coordinate the private inspection with the occupier/tenant leaving the premises for a legitimate reason (one of the four listed) – not just to facilitate the inspection. For example they might go and do some exercise or do their grocery shopping. This is vitally important because they could be fined if they are just wandering around without a legitimate purpose.

Those in isolation or quarantine should not leave their homes.

REIV Note: You also need to ensure that the person doing the inspection is not unwell or has any symptoms of Coronavirus. You should note that you have asked this question and where possible record this in writing to protect yourself.

In-home appraisals

It is important to speak with your employer (the agency principal) in the first instance and follow their directive. If you are currently ill or showing symptoms of illness you should not engage in any in-person contact with members of the public, this means attending in-home appraisals may not be appropriate until a later date.

If you are not ill or showing any symptoms of illness, it is essential to check that the client is comfortable for an in-person home appraisal to take place. Should the client be happy to meet in their home, it is recommended you follow the same steps suggested for sales inspections. Should the client not be comfortable, consider some alternative options available such as hosting a virtual meeting or meeting at your office (should this be acceptable for you, your staff and the client).

- **Inspections of tenanted properties**

In order to get permission for inspections, the REIV has agreed on behalf of Members that should a tenant not want a private inspection to occur in a property they currently occupy, Members will respect their wishes. It is vital that we act with compassion and understanding in these circumstances.

The changes to the RTA to come into effect by 1 January 2021 will prescribe compensation for inspections of a minimum of \$30 or a half-day's rent (whichever is the greater); tenants may be motivated to allow an inspection if you consider this option ahead of it being prescribed.

Inspections by vendors or landlords

A vendor or a landlord wanting to enter a property to inspect it is permitted to do so if they have served a valid notice to enter the premises under the Residential Tenancies Act 1997.

Inspections by estate agents

An estate agent is permitted to enter residential premises to exercise lawful duties as part of the exercise of their occupation, including to inspect a property on behalf of a landlord or vendor.

Restrictions on indoor gatherings do not apply to an estate agent entering an indoor space where it is necessary to enter a property in the exercise of their occupation. Accordingly, an estate agent may enter premises to conduct an inspection on behalf of a landlord or vendor irrespective of the number of residents of the property present at the time.

REIV Note: This enables the Estate Agent to do their work and also applies to valuations, settlement inspections, termite and building inspections for sale purposes.

Tenant in a property for sale prevents an inspection by an appointment

It is possible the tenant could have very sound reasons for preventing access, for example somebody may be in isolation in the property.

Ask the tenant for the reason for preventing access and ask when it is anticipated that access will be possible. Advise the vendor/landlord of the tenant's actions and reasons.

Tenant refuses entry to property manager or a tradesperson

Should entry be refused due to the current conditions, inspection or access to the property should be postponed to an alternative date after 14 days (in accordance with Victorian Government recommendations). Such circumstances may include:

- The tenant is suffering from respiratory illness, showing symptoms of respiratory illness, has been exposed to someone with the Coronavirus or is suffering from Coronavirus and is in self-isolation;
- The tenant reasonably believes you or a tradesperson is suffering from respiratory illness, showing symptoms of respiratory illness, has been exposed to someone with the Coronavirus or is suffering from Coronavirus; or
- The tenant is identified within the classifications of a high health risk (refer to high risk groups).

Above all, communication will play a critical role in managing any unexpected situations related to property inspections and/or property access for tradespeople. Maintaining early and open communication with tenants regularly should form part of your strategy so as to aid in the management of property access with minimal disruption. Refer to the REIV's template documents which will further assist in this area (see Appendix C).

Routine inspections in a tenanted property

You are generally required to conduct regular routine inspections to monitor the condition of the property and its inclusions during the term of a tenancy.

During this period however, the REIV recommends conducting these inspections virtually or asking the tenant to complete a checklist and provide photos.

The REIV recommends that real estate principals keep their owners well informed of the situation in writing, including details as to what alternative measures will be put in place in lieu of a physical inspection where that is not practical or viable.

- **Inspections of vacant properties**

Private inspections of a vacant residential property are permitted to be organised. An inspection is only permitted where an estate agent and one other person (the person for whom the inspection is organised by private appointment) are present at the premises.

REIV Note: This allows one and one inspections only – maximum of two people in the property.

Recording information

Fundamental to every role within property management is communication, which includes maintaining comprehensive records as situations arise. Detailed written documentary evidence of client communication is essential in the event of a claim by a client for breach of contract, professional negligence or mismanagement.

Precautions when conducting a private inspection

Estate agents, vendors or landlords conducting any inspection should ensure compliance and high levels of hygiene. See the [Department of Health and Human Services \(DHHS\) information on appropriate cleaning and disinfecting.](#)

There are [clear and simple guidelines found here](#). Your practical considerations should include:

- the use of gloves and masks and hand-sanitizer during the conduct of these inspections
- close supervision of the person doing the inspection
- opening doors and cabinets for them rather than them doing it themselves. Alternatively, arrive a bit earlier and open the doors ahead of the inspection.
- noting any areas the person doing the inspection touches and clean and disinfect prior to leaving and before the occupant returns.

More activities may be restricted as the coronavirus (COVID-19) progresses. Estate agents should monitor the [DHHS website](#) for up-to-date information.

- **For occupants making their home available for inspection**

Should your client make their home available for inspections, the REIV recommends the following:

For sales agents:

- Contact the vendor to ensure no one in the house is currently ill, is in self-isolation or has just returned from overseas before proceeding with an open home. (If they have answered yes to any of these questions, it is recommended that the open home be postponed at least 14 days (in accordance with Victorian Government recommendations);
- Contact any known prospective buyers prior the inspection appointment to ensure they are not currently ill, are in self-isolation or have just returned from overseas and advise them not to attend if they have answered yes to any of these questions; (see Appendix A)
- Avoid touching your eyes, nose and mouth at all times when conducting open home inspections;
- Provide a written notice on all marketing and promotional material for the property and any correspondence regarding inspection by appointment that entry will not be permitted to people displaying symptoms and/or those who meet other 'at risk' criteria as stipulated by health authorities;
- Consider wearing disposable medical-grade gloves before touching any objects and fixtures within the home, especially high-touch surfaces such as doorknobs, tap handles and window fittings;
- Provide and advise of the use of disinfectants to owners prior to and at the end of an inspection;

- Politely decline to shake hands or have any other physical contact with owners and prospective buyers; and
- Reassure both owners and prospective buyers that you are following best practice precautionary measures which are not in response to any confirmed coronavirus cases within the agency or immediate area.

For prospective buyers and clients:

- Display appropriate signage at the entry of the home with the specific requirements clearly outlined for all potential buyers to adhere to prior to entering the property (such notice should it make it clear that attendees may be asked to leave the property if they appear to exhibit symptoms or the agent is concerned that they may pose a risk);
- Provide alcohol-based hand sanitiser and request all on-site clients and attendees to use it upon entering a property;
- Consider providing disposable medical-grade gloves, masks and/or protective foot coverings for attendees and consider asking them to remove their shoes (particularly if owners have requested these precautions);
- Request the attendee to refrain from touching any objects and fixtures within the home and instead ask the agent/s to demonstrate the functionality of any devices should it be necessary;
- Maintain social distancing of at least 1.5 metres where practical;
- Politely request refraining from any physical contact with others whilst in the home; and
- Do not permit entry to anyone who is coughing, sneezing or showing any signs or symptoms of illness.

If a sales agent becomes concerned that an attendee is an 'at-risk person,' it is recommended you respectfully discuss the matter with the individual (while also maintaining a distance of at least 1.5 metres). Whether to ask the person to leave is ultimately subject to the sales agent's judgement. However, it is important to consider all information released by health authorities, including:

- If the person has a fever or cough;
- If the person was instructed to self-isolate; or
- If the client is behaving inappropriately/failing to adhere to the instructions provided.

FAQ FOR REAL ESTATE OFFICE STAFF

What measures should I consider for my real estate agency ?

The safety and wellbeing of staff is the responsibility of business owners and principals. The REIV, in accordance with the Victorian Department of Health, recommends the following measures be taken:

- Keep everyone updated on actions undertaken to reduce the risk of exposure in the workplace;
- Make sure everyone's contact numbers and emergency contact details are up-to-date;
- Consider extra precautions for staff who might be more vulnerable – for example, those employees aged 70 or over or those who have a pre-existing at risk health condition;
- Provide handwashing facilities and make sure these are kept clean, adequately stocked and in good working order;
- Provide alcohol-based hand sanitiser, disinfectants, disposable hypoallergenic tissues and cleaning supplies;
- Promote good hygiene practices such as displaying posters on [handwashing](#) and [respiratory hygiene](#);
- Keep the workplace clean and hygienic by regularly cleaning high-touch surfaces such as door handles and workstations to prevent contamination;
- Encourage any staff who are sick with respiratory illness to stay home until they've fully recovered;
- Isolate any staff who become ill with respiratory symptoms in the workplace by isolating them in either an office or area away from other employees and clients. Arrange for the staff member to be sent home and advise them to seek medical advice, calling an ambulance if necessary; and
- Discourage any staff member who is suffering from a respiratory illness from attending open-homes, inspections, client meetings and other activities that involve human interaction.

Call [1800 675 398](tel:1800675398) for advice if a staff member is confirmed to have the Coronavirus and inform co-workers about possible exposure.

Should I invite potential buyers or sellers into my office ?

The REIV recommends sales agents adopt precautionary hygiene protocols in their offices and ask prospective buyers and/or sellers who may be feeling unwell to reschedule after 14 days (in accordance with Victorian Government recommendations).

Refer to the recommended hygiene protocols.

- Display appropriate signage at the reception desk with the specific requirements clearly outlined for all prospective visitors to adhere to while in your office;
- Provide alcohol-based hand sanitiser and request all on-site visitors use it upon entering the office;

- Request all visitors refrain from touching anything where practical;
- Maintain social distancing where feasible;
- Politely refrain from any physical contact with visitors; and
- Do not permit entry to any visitor who is coughing, sneezing or showing any signs or symptoms of illness.

For any upcoming in-office scheduled appointments with prospective buyers and/or sellers, contact them to ensure no one in their home is currently ill, is in self-isolation or has just returned from overseas. (if they have answered yes to any of these questions, it is recommended cancelling the meeting to an alternative date after 14 days (in accordance with Victorian Government recommendations).

Some agencies are already cancelling in-person meetings having shifted to virtual meetings and conference calls, these are options sales agents may also consider in lieu of meeting in person at your office (refer to [Tech Solutions](#) highlighted within this toolkit for ideas).

I often drive my clients to showings. May I refuse to drive potential clients to see homes?

The simple answer is yes. However, be sure that any change to your business practices is applied equally to all prospective buyers. You may refuse to drive anyone who shows signs of illness or reveals recent travel to areas of increased risk of Coronavirus, or you may instead decide to stop driving clients in your car altogether and arrange to meet clients at a property. If you do continue to drive prospective buyers in your vehicle, it is recommended that you frequently clean and disinfect surfaces like door handles and seat belt latches and ask everyone to sanitise before entering and exiting the vehicle.

How can I get a contract signed?

The REIV recommends using electronic signatures where possible. Electronic signatures are recognised by law in Australia (*Electronic Transactions Act 1999 Cth*). REIV VicForms users can access digital signatures at no additional cost.

REIV TECH SOLUTIONS

This REIV guide to the technology is designed to help you and your team work remotely and keep you trading during the coronavirus pandemic. Please ensure that you understand the terms of use governing these tools and confirm compliance requirements before utilising them.

- **Tech for inspections and auctions:** Consider using technology to substitute face to face interaction, where feasible. [Open2view](#) offers online inspections and tours. Facilities for online auctions like [Anywhere Auctions](#) are also worth considering.
- **Tech executions of forms and contracts:** Uploading forms and contracts, filling them in manually, scanning, emailing them through the office email and then waiting for them to be returned via email and the data entered into your CRM and filed properly is a laborious, slow and old-school process at the best of times. With your team working from various locations across town, your paper trail will end in tears.

[REIV Vicforms](#) is a simple way to ensure that you always have access to the most up-to-date forms and authorities. Benefits include :

- Save and recall forms, to work on your own pace
- Multi-user system allows more than one user in your agency to access the portal at any one time
- Email documents directly to your client through the system
- Forms generated in PDF for easy filing and online access
- Tablet friendly layout allows you to create and edit forms on your iPad when you are out of the office
- Digital signatures available at no additional cost
- Cost effective
- VicForms Online is a pay per usage system
- There are no upfront charges and you only pay for the forms you use
- All charges are conveniently invoiced to your business on a month to month basis

APPENDIX A
Disclosure form for prospective buyer/tenant

This disclosure form may be sent to prospective buyers or tenants requesting the following information before the prospective buyer/tenant attends an inspection. It may assist agents to determine potential Coronavirus risk prior to parties entering the property. Same rules apply to signing a confidentiality agreement or Non-Disclosure Statement (NDS). We recommend this information be kept for 30 days and then destroyed.

Where [] appear , please note the instruction and insert the relevant information.

[insert on agency letterhead]

Dear [insert recipients name]

To minimise the risk of coronavirus spread to the (tenant/s and their occupants) or (owner/s and their occupants), could you please advise if you have the following symptoms of coronavirus:

- fever;
- sore throat;
- cough;
- fatigue;
- difficulty breathing.

In addition, please let us know if you:

- have developed coronavirus (COVID-19);
- have returned from overseas in the past 14 days and have developed respiratory illness with or without fever;
- have been in close contact with a confirmed coronavirus (COVID-19) case in the past 14 days and have developed respiratory illness with or without fever;
- have severe community-acquired pneumonia, and there is no clear cause; or,
- are a healthcare worker who works directly with patients and have a respiratory illness and a fever
- have you recently self-quarantined

If you answered 'yes' to any of the above items, please notify us as a matter of urgency prior to entry by **[telephoning/emailing us]** on: **[insert phone number or email as applicable]**.

.....
Name

.....

Your address (including proof of identity D/L -Passport-etc.....)

Signature

APPENDIX B
Pre-entry notice to tenant

This correspondence may be sent to tenants where the tenant has consented to entry. It may assist agents to determine potential Coronavirus risk prior to a property manager and/or some other party (eg tradesperson) entering the property. We recommend sending it to the tenant at least 48 hours prior to the entry (where possible) to enable a response to be sought prior to entry.

Where [] appear , please note the instruction and insert the relevant information.

[insert on agency letterhead]

Dear [insert tenant name]

[Insert address of rental property]

This is a reminder that [insert name of person attending] of [insert agency name or business name] will be attending the above rental property on [insert date] at [insert time] in order to [insert purpose of entry. For example, routine inspection].

Due to the coronavirus (COVID-19) outbreak, it is vital that we take all reasonable precautions to maintain the health and safety of our tenants and occupants, staff, tradespeople and any other persons visiting the property.

To minimise the risk of coronavirus spread, could you please advise if you or any other tenant or occupant has the following symptoms of coronavirus:

- fever
- sore throat
- cough
- fatigue
- difficulty breathing

In addition, please let us know if you or any other tenant or occupant:

- has developed COVID-19 and/or is in self-quarantine
- has returned from overseas in the past 14 days and have developed respiratory illness with or without fever
- has been in close contact with a confirmed COVID-19 case in the past 14 days and has developed respiratory illness with or without fever
- has severe community-acquired pneumonia and there is no clear cause
- is a healthcare worker who works directly with patients and has a respiratory illness and a fever.

If you answered 'yes' to any of the above items, could you please notify us as a matter of urgency prior to entry by [telephoning/emailing us] on: [insert phone number or email as applicable]

Other information

If you are planning to be present at the time of entry, we kindly ask that you:

- keep a distance of 1.5 metres between yourself and our *[property manager/tradesperson]* whenever possible
- refrain from making physical contact such as shaking hands with that person/persons.

Your cooperation is appreciated.

Yours faithfully

[Insert name]

[Note to the agency:

If the tenant responds 'yes' to any of the above, it is advisable to delay the event until the risk is eliminated or, you may wish to consider alternative measures to achieve the necessary objective. For example, conducting an inspection via FaceTime or using a virtual inspection tool. If the Event is to facilitate "urgent repairs" (as defined in the *Residential Tenancies Act 1997*) legal advice should be sought on the most appropriate action].

APPENDIX C
Pre-entry letter to contractor/tradespeople

This correspondence may be sent to contractors and/or tradespeople where the tenant has consented to entry and the agent is seeking to determine potential coronavirus risk attached to the individual who will be attending the rental premises.

We recommend sending it to the relevant contractor at least 48 hours prior to the entry (where possible) to enable a response to be sought prior to contractors and/or tradespeople being permitted.

Where [] appear, please note the instruction and insert the relevant information.

[insert on agency letterhead]

Dear [insert contractors and/or tradespeople name],

Re: [Insert address of rental property] (“Rental Premises”)

We are writing to confirm that you will be attending the Rental Premises on [insert date] in order to [state the purpose of entry – for example, to repair leaking taps]. (“Entry”)

Due to the coronavirus (COVID-19) outbreak, it is important that we take all reasonable precautions to maintain the health and safety of our tenants and occupants, staff, tradespeople and any other persons visiting the property in connection with the tenancy.

To minimise the risk of coronavirus spread to the tenant/s and their occupants, could you please advise if you have the following symptoms of coronavirus:

- fever;
- sore throat;
- cough;
- fatigue;
- difficulty breathing.

In addition, please let us know if you:

- have developed coronavirus (COVID-19);
- have returned from overseas in the past 14 days and have developed respiratory illness with or without fever;
- have been in close contact with a confirmed coronavirus (COVID-19) case in the past 14 days and have developed respiratory illness with or without fever;
- have severe community-acquired pneumonia, and there is no clear cause; or,
- are a healthcare worker who works directly with patients and have a respiratory illness and a fever.

If you answered ‘yes’ to any of the above items, could you please notify us as a matter of urgency prior to the entry by [telephoning/emailing us] on: [insert phone number or email as applicable].

Other Requirements

If the tenant or another occupant is present at entry, we kindly ask that you:

- keep a distance of 1.5 metres between yourself and that person or persons whenever possible;
- refrain from making physical contact such as shaking hands with that person/persons; and
- wherever practical sanitise any surfaces you touch at the property

Please also provide a copy of the relevant work safety statement for our review prior to entry.

Your cooperation is appreciated.

Yours faithfully

[Insert name]

Note to agency: If the addressee responds 'yes' to any of the above, it is advisable to select an alternative person to complete the entry.