



**ESTATE AGENCY AFFAIRS BOARD
OF SOUTH AFRICA**

**A GUIDE FOR ESTATE AGENTS ON HOW TO
CONDUCT BUSINESS UNDER COVID-19 – DAILY
OPERATIONS**

Version 1.0: 12 June 2020

TABLE OF CONTENTS		PAGE
1.	Introduction	3
2.	Risk Assessment	3
3.	Risk Mitigation	3
4.	Prevention and Control	4
5.	Covid- 19 Response Team	4
6.	Protocol On Identification Of Infected Person	5
7.	Confidentiality	5
8.	Meetings with Clients	6-7
9.	Non – Compliance	8
10.	Review of Guidelines	8
11.	Approval of Guidelines	8

1. INTRODUCTION

- 1.1 On the 15 March 2020, the president declared a national state of disaster and restriction on movement. The Minister of cooperative governance and traditional affairs, Dr Nkosazana Dlamini Zuma, designated under section 3 of the Disaster Management Act, 2002 then declared a national state of disaster published in Government Gazette No 43096
- 1.2 In accordance with the published regulation, the EAAB has seen it fit to provide guidance to Estate Agents in order to prevent or curb the spread of the infections as they perform their activities. These guidelines set out steps / processes which Estate Agents/ Estate Agencies should comply with for safe operation of their business environment.
- 1.3 Estate agents/ Estate Agencies principals are encouraged to allow staff members who are able to work from home to do so. However to operate a business, a certain number of staff may be required to perform essential service at the office.
- 1.4 The guidelines have taken note of the following provisions of legislation:-
 - Disaster Management Act 61 of 2002
 - Occupational health and safety Act 130 of 1993
 - The covid-19 regulations
 - Basic Condition of Employment Act 75 of 1997

2. RISK ASSESSMENT

- 2.1 Before any activity can be resumed, a risk assessment plan must be put in place to include staff education and provision of protective measures regarding the following:-
 - a. Identification and protection of vulnerable persons,
 - b. Screening of persons on entering the office premises,
 - c. Cleaning of all work surfaces, equipment (including in the kitchen, restrooms, door handles) which should be scheduled daily to take place prior, during and after work hours; and
 - d. Compliance with any directives as may be issued by OHS and Department of Health from time to time.

3. RISK MITIGATION

3.1 The Estate Agents/ Estate Agencies should ensure that the following measures are in place:-

- Ensure that education policies and procedures in relation to covid-19 are in place
- Ensure that daily medical screening is conducted at entry and exist of the office
- Respond appropriately when a case of infection is disclosed or suspected
- Disinfection and rehabilitation of the office areas

4. PREVENTION AND CONTROL

4.1 The use of Personal Protective Equipment (PPEs) such as face masks, gloves, face shields etc. are deemed necessary in line with covid-19 regulations and all staff members should be required to wear protective gear at all times at the workplace.

4.2 Body temperature analysis which is conducted using non-contact thermometer, must be used for all persons who want to gain access to the office premises. Prior to being granted access, such persons may be required to complete a wellness declaration confirming their state of health and their travelling history.

4.3 Persons with body temperature of 38.00 Celsius or above will not be granted access.

4.4 A register must be completed by every person on entry being granted.

4.5 All persons wanting to gain access to the premises shall be required to sanitize their hands with alcohol-based liquid as provided at the entry post.

4.6 The Estate Agency must provide two face masks and disinfectant hand soap must also be provided in the kitchen and the restrooms.

4.7 All biometric systems must be deactivated and staff will be responsible for reporting to the receptionist who must document their presence at work on the attendance register.

4.8 All staff members are required to observe social distancing which includes, but is not limited to:

- Staggering of workstations to be at least 1.5 metre apart
- Personal contact is prohibited
- Staggering of appointments so that there is no concentration at the reception area and / or meeting rooms
- Having lunch and tea at different times
- Not having lunch or tea at communal areas
- Continuously ensuring physical distancing, maintaining and practising good hygiene

- 4.9 Appropriate signage should be displayed to educate, inform and remind staff of all precautionary practices.

5. COVID- 19 RESPONSE TEAM

- 5.1 The Estate Agent/ Agency is required to appoint a designated COVID-19 Compliance Officer who shall receive training as and when required in order to fulfil his/her functions and shall be responsible to observe the fulfilment of all measures set out herein, and shall ensure compliance with especially the internal and client health and safety measures applicable.
- 5.2 To monitor compliance with the policies and procedures, in addition, appoint a Covid –19 response Team which will be responsible for:
- Follow the guidelines and advises from the government and public health organisations
 - Educate staff on issues relating to covid-19
 - Provide awareness as and when change occurs if necessary
 - Facilitate the implementation and management of processes put in place to curb spread of infections
 - Monitor compliance

6. PROTOCOL ON IDENTIFICATION OF INFECTED PERSON

- 6.1 In the event that a member of staff displays any infectious symptoms, such staff member must be denied access to the premises and be required to take sick leave in accordance with the provision of the company policy and provision of Basic Conditions of Employment Act(BCEA)
- 6.2 Should any member of the staff experience such infectious symptoms whilst at work, the company must isolate the staff member and arrange for the staff to be transported in a manner that does not place other workers or members of the public at risk. Such staff member must be requested to either self- isolate or go for a medical examination or testing.
- 6.3 The estate agent/ estate agency may contact the National Institute of Communicable Diseases (NICD) toll- free emergence hotline for covid -19 (0800 029 999)
- 6.4 In the even that a staff member has been diagnosed with covid-19 the estate agency / estate agent will be obliged to:

- inform the Department of Health and Department of Employment and Labour
- investigate the any control failures or review its risk assessment to ensure that necessary controls and PPE requirements are in place
- give administrative support to contact – tracing measures as implemented by the Department of Health

7. CONFIDENTIALITY

- 7.1 Staff members have a legal right to confidentiality regarding their medical details. This confidentiality must not be breached by any personnel except where the information is requested by a healthcare professional in carrying his/her duties related to the matter
- 7.2 All staff members have a right to be treated equally, without prejudice or being discriminated against

8. MEETING WITH CLIENTS:

- 8.1 Meetings with clients should, be conducted via telephone and/or any other forms of electronic media.

8.2. VIEWING OF THE PROPERTY BY BUYER/ TENANT

- 8.2.1. Any viewings of a property should be done virtually. Physical viewing is only recommended where a buyer/tenant has expressed definite interest in a particular property, and in line with viewing protocols.
- 8.2.2 The current occupant should be advised where necessary, not be present in the property at the same time that the estate agent views the property with the potential client. Should the current occupant client (sellers) not able to leave the property, or remain outside, they will be encouraged to remain in the other section of the property.
- 8.2.3 The current occupant will be required to give the necessary consent prior to potential clients being brought to their property.
- 8.2.4 All potential clients must have received all the safety protocol information prior to the viewing and must agree to adhere to these protocols at all times.

- 8.2.5 Estate Agents may not travel with clients in the same vehicle to view the property.
- 8.2.6 At the viewing it is expected of the estate agent ensure proper ventilation by opening all doors and windows of the property, prior to granting access to d potential clients.
- 8.2.7 Physical viewings at a property should be kept brief taking into account the health protocols.
- 8.2.8 Estate agents and clients should wear fabric face masks, whilst conducting property viewing.
- 8.2.9 Estate Agents must visibly sanitise their hands prior to entering the client's property, and will be required to visibly sanitise their hands prior to leaving the property.
- 8.2.10 Clients, who refuse to sanitise their hands prior to entry, will not be granted access to the property.
- 8.2.11 Estate Agents and potential clients are to ensure that where possible there is no touching of any surface or object in the property
- 8.2.12 Estate Agents should carry their own sanitizers and wipes to clean any surface or object he/she may have accidentally come into contact with.
- 8.2.13 Estate agents should ensure that no more than two potential clients are taken through the property at a time in order to maintain compliance with health protocols and adherence to social distancing guidelines.
- 8.2.14 Estate Agents must confirm that they have satisfied themselves as to the absence of any observable symptoms associated with Covid-19, as it relates to fever, cough, sore throat, redness of eyes, shortness of breath, body aches, loss of smell/taste, nausea, vomiting, diarrhoea, fatigue and/or weakness.
- 8.2.15 Estate Agents must enquire whether the potential client and/or immediate family have been experiencing any of these symptoms 14 days prior to the viewing and/or whether they have been in contact with a confirmed case of Covid-19. Should any client (or occupants of the property) display any of these symptoms (currently or 14 days prior to the viewing) and/or have

been in contact with a confirmed case of Covid-19 14 day prior to the viewing.

8.2.16 Estate agents should ensure that clients maintain a physical distance of 1,5m from all persons in the property at all times.

8.2.17 Estate agents have to capture the details of potential clients who have visited any property in their database, detailing the potential client's name, surname and contact details, as well as the property address, and time and date of viewing.

8.3 CONTRACTUAL AGREEMENTS

8.3.1 The details of offer to purchase must be recorded electronically and should be sent to potential clients for the purposes of concluding a transaction.

8.3.2 It is recommended that estate agents have virtual meetings with clients to discuss various aspects of the offer to purchase, and where possible should ensure that clients sign these offer to purchase electronically.

8.3.3 In the event that any of the parties does not have facilities to print and/or scan documentation, the estate agent may deliver the physical documentation to the relevant party and request signature. In the event of a physical meeting, all hygiene and social distancing measures must be applied (as documented herein).

8.3.4 Clients must be informed of the estate agency's policy as it relates to the completion and signature of legal documentation on showing interest in either employing the Company to market their property, and/or when expressing interest in submitting an offer to purchase and/or lease a property.

9. NON – COMPLIANCE

9.1 The estate agency will ensure that each member of staff has received the appropriate training in line with health protocols and will require each member to sign an attendance register to confirm training.

9.2 Any member of staff who has been found to have deliberately acted against the provisions contained herein may be subject to the internal disciplinary procedures of the Company as well as the potential penalties as detailed in the

Occupational Health and Safety Act (OHS Act) and/or the Consumer Protection Act.

- 9.3 A Department of Health inspector designated in terms of section 28 of OHS Act may perform any of the functions in section 29 of OHS Act and exercise any of the powers listed in section 30 of OHS Act in order to monitor compliance as set out in the regulations;
- 9.4 In an event where an estate agent or employee is found to have contravened an obligation or prohibition under OHS Act, the offences and penalties provided for in section 38 of OHS Act apply.
- 9.5 Section 38 of Occupational health and safety Act provides that each person who is found guilty of an offence in terms of the legislation mentioned herein, on conviction by the Courts, a fine of R50,000.00 or a maximum of no more than 12 months imprisonment or to both such fine and imprisonment may be imposed and the Company's directors may, if found liable, be subject to criminal charges.

10. REVIEW OF GUIDELINES

- 10.1 The guidelines contained herein may be updated from time to time in line with changes to legislation or to improve the internal and external processes of the estate agency company.

11. APPROVAL OF GUIDELINES

The EAAB guide for estate agents guidelines will take effect from the date it is published.