



Legal Alert

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Proposed Legislation Allowing Resumption of In-Person Residential and Commercial Real Estate Services Moves to Governor Wolf's Desk

By: Alfred R. Fuscaldo

The Pennsylvania Legislature has voted to approve [House Bill 2412](#). The legislation would grant a waiver for “providers of residential and commercial real estate services” from the [Governor's March 19th business closure order](#). The bill now moves to [Governor Tom Wolf](#) for consideration.

If signed by the Governor, certain in-person residential and commercial real estate services would be permitted to resume immediately so long as the providers of those services comply with social distancing and other measures intended to mitigate the spread of COVID-19 as determined by the [Centers for Disease Control and Prevention](#) and the [Order of the Pennsylvania Secretary of Health regarding safety measures for businesses permitted to conduct in-person operations](#).

The waiver would apply to:

- Real estate brokers and affiliated licensees and unlicensed employees;
- Home Inspectors;
- Professional Engineers;
- Architects;
- Professional Contractors, Inspectors or other service providers providing inspections required by an agreement of transfer or lease;
- Real Estate Appraisers;
- Photographers or Videographers collecting digital media for real estate marketing purposes; and
- Attorneys, Title Agents and Notaries who provide settlement services.

The bill would also provide that during the length of the [Governor's March 6, 2020 Proclamation of Disaster Emergency](#):

- there be a presumption that any municipal use and occupancy certificate or similar certification required for a property transfer was fully and unconditionally issued without the requirement of an inspection of that property (and prohibiting a municipality from conducting that inspection after the Disaster Emergency ends);
- taxing authorities and public utilities must provide residential home buyers and title companies with a mechanism to determine the current status of tax and utility payments.

If you have any questions or would like more information on the issues discussed in this alert, please contact [Al Fuscaldo](#).

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