



## **Updated Open House Guidance on Governor's Phase 2 Reopening, With Fair Housing Considerations & Unemployment Benefits Discussed**

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### ***Open Houses Continue to be Prohibited During Phase 2 Reopening***

Our Governor released Phase 2 of the State's Reopening plan, which for our industry, changes nothing. The Governor stated "[a]ll businesses opened in Phase 1 must maintain all the same restrictions and guidelines as we continue to evaluate the impact and slowly lift restrictions on other activities." This means, until further notice, the prohibition on open houses remains, including in-person showings of tenant occupied homes **until June 30th**. The full press release can be viewed here: <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/05/5.26-post-presser-release.pdf>

### ***Secure Collection & Maintenance of COVID-19 Documentation in Accordance with Fair Housing, Nevada State Law and Possibly HIPPA***

A frequently asked question into the Nevada REALTORS® Legal Information Line has been how to handle written documentation received from an individual disclosing their COVID-19 status, and how to safely collect and maintain this health data. The NAR's Guidance for Fair Housing Compliance During the COVID-19 Pandemic provides helpful insights which our members are encouraged to review: <https://www.nar.realtor/sites/default/files/documents/NAR-COVID-19-FH-QAs-05-2020.pdf>.

The Guidance also recommends consulting our state's laws which are governed by NRS 603A. This statute should be reviewed as well as our article discussing NRS 603A best practices: <https://www.leg.state.nv.us/NRS/NRS-603A.html>  
[https://nevadarealtors.org/docs/librariesprovider2/legal/fraudscams.pdf?sfvrsn=cd29dc24\\_2](https://nevadarealtors.org/docs/librariesprovider2/legal/fraudscams.pdf?sfvrsn=cd29dc24_2)

Further, the U.S. Department of Health and Human Services provides information including an easy to use question and answer tool to determine if you and your practice is or are a covered entity that also needs to ensure medical records/information are kept in accordance with Health Insurance Privacy and Protection Act (HIPPA) laws: <https://www.hhs.gov/hipaa/for-professionals/covered-entities/index.html>

### ***Continued Eligibility for Unemployment Benefits***

It's important our members understand that a condition to receive unemployment benefits is a person **must be willing to accept suitable** work when it becomes available, *See* Nevada Unemployment Compensation Program, Employment Handbook: [http://ui.nv.gov/PDFS/Employer\\_Handbook.pdf](http://ui.nv.gov/PDFS/Employer_Handbook.pdf)



which provides that “[a] person who fails to accept suitable work when offered [without good cause]... will be ineligible for benefits...” In summary, if you are offered a job, you cannot just refuse to accept the job and continue collecting unemployment.

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