

COVID-19: Real Estate Update

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By , Bradley McLellan

As of Tuesday, March 24, 2020 all of Ontario's "non-essential services" were required to close in response to the growing COVID-19 pandemic in the province. This mandatory shut down will last a minimum of 14 days, with an extension possible at the discretion of Premier Doug Ford.

The Ontario Government recently clarified which businesses and services were deemed "essential" and would therefore be allowed to remain open throughout this two-week period. A complete list of essential workplaces can be found [here](#). These include law firms and WeirFoulds lawyers are fully operational and ready to assist you.

For the real estate industry, the following services qualify as essential and will therefore continue throughout the shutdown period:

31. Banking activities related to credit intermediation; credit unions

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65. Professional services including lawyers and para-legals, engineers, accountants, translators

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67. Land registration services, and real estate agent services and moving services

Further, as Service Ontario operates its land registration system online, we are hoping that transactions will continue to be able to close without issue. Our Group is working to identify and deal with issues that may arise in this regard.

For new or ongoing transactions, the off-title searching process may be delayed or hindered altogether with the closure of some municipal services. Please be advised that when purchasing properties, these searches may take significantly longer than usual. However, there is some good news for purchasers: many title insurers are now offering extended coverage under owner and lender policies to respond to the marketplace's unavoidable delays and disruptions.

The WeirFoulds Commercial Real Estate Group is committed to ensuring that your transaction can proceed as planned. While our office has adopted a "work from home" policy, our lawyers, conveyancers and staff remain fully accessible without disruption. Our Group has full access to all our clients' working files, searches, documents and agreements. This includes our conveyancers who we rely on a great deal in identifying and resolving difficult title issues. The WeirFoulds Commercial Real Estate Group is able to assist in any way needed.

Even though we are working remotely, we continue to collaborate seamlessly with our other Practice Groups that we traditionally

look to for their expertise in commercial real estate matters, including Leasing, Municipal, Expropriations, Infrastructure, Construction, Corporate, and Environmental.

Our Group remains devoted to guiding our clients through this evolving situation. If you have any questions as to how COVID-19 may affect your ability to complete a real estate transaction, please contact a member of our [Commercial Real Estate Group](#). We will be glad to assist you.

The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.

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Bradley McLellan has extensive experience in infrastructure and public projects, including procurement, risk allocation, public-private partnership arrangements, concession agreements, ground leases, design-build agreements and operation and management agreements. He also is a recognized expert in the purchase, sale and financing of commercial real estate.

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