

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Bulletin 2020-23-BT/CF/CU

In the matter of:

**Executive Order 2020-70:
Essential Financial Services**

**Issued and entered
this 6th day of May 2020
by Anita G. Fox
Director**

This Bulletin supersedes Bulletin 2020-21-BT/CF/CU, dated April 30, 2020, but reaffirms and clarifies the measures set forth in Bulletin 2020-11-BT/CF/CU, in accordance with Executive Order 2020-70. This Bulletin remains in effect for the period of time that Executive Order 2020-70, and any subsequent Executive Order that reaffirms or clarifies the measures set forth in it, remain effective. This Bulletin is issued solely to provide guidance on the specific industries included within the term “financial services,” as used in Executive Order 2020-70.

On March 10, 2020, Governor Whitmer issued Executive Order 2020-04, which declared a state of emergency across the State of Michigan due to the COVID-19 pandemic.¹ On March 23, 2020, Governor Whitmer issued Executive Order 2020-21, directing Michigan residents to remain at home or in their place of residence, with limited exceptions. Executive Order 2020-21 took effect on March 24, 2020 at 12:01 a.m. In Executive Orders 2020-42 and 2020-59, Governor Whitmer extended and modified the scope of the measures set forth in Executive Order 2020-21. On May 1, 2020, Governor Whitmer issued Executive Order 2020-70, which rescinded Executive Order 2020-59 and extended and modified the scope of the measures set forth in it. Executive Order 2020-70 was effective immediately and continues through May 15, 2020 at 11:59 p.m.

On March 30, 2020, DIFS Bulletin 2020-11-BT/CF/CU was issued to provide guidance to specific industries, in particular those included within the term “financial services” as used in Executive Order 2020-21. Bulletin 2020-11-BT/CF/CU was extended by Bulletin 2020-13-BT/CF/CU, in accordance with Executive Order 2020-42. On April 30, 2020, Bulletin 2020-21-BT/CF/CU was issued to extend Bulletin 2020-11-BT/CF/CU, as extended by Bulletin 2020-13-BT/CF/CU, for the period of time that Executive Order 2020-59, and any subsequent Executive Order that reaffirms or clarifies the measures set forth in it, remain effective.

¹ On April 1, 2020, Governor Whitmer issued Executive Order 2020-33, which rescinded and replaced Executive Order 2020-04 and expanded the emergency and disaster declaration. On April 30, 2020, Governor Whitmer issued Executive Order 2020-67 to continue the emergency declaration under the Emergency Powers of the Governor Act, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the Emergency Management Act. These Executive Orders were effective immediately and continue through May 28, 2020 at 11:59 p.m.

Executive Order 2020-70 broadly prohibits in-person work that is unnecessary to sustain or protect life, with narrow exceptions to continue in-person work for “critical infrastructure workers” and workers who are necessary to conduct “minimum basic operations” or perform a “resumed activity,” as those terms are defined in Executive Order 2020-70. These workers include some workers in the financial services sector as described in the guidance of March 19, 2020 on the COVID-19 response issued by the Director of the U.S. Cybersecurity and Infrastructure Security Agency ([CISA Guidance](#)) referenced in Executive Order 2020-70.

As mentioned above, this Bulletin is issued solely to provide guidance on the specific industries included within the term “financial services,” as used in Executive Order 2020-70. Consistent with Executive Order 2020-70, the work of designated “critical infrastructure workers” in the “financial services” sector is to be done remotely to the fullest extent possible, and in-person work is permitted only in accordance with social distancing and other requirements of Executive Order 2020-70. Subject to the requirements of Executive Order 2020-70, the term “financial services” as used in Executive Order 2020-70 means:

- Banks, credit unions, and consumer financial service providers (e.g., mortgage companies, money transmitters, payday lenders, consumer installment lenders, sales finance lenders, debt management companies, and pawnbrokers).
- Bond issuers.

Under Executive Order 2020-70, workers in the real-estate industry, including, real-estate brokers and agents, inspectors, appraisers, surveyors, and registers of deeds, do not constitute “critical infrastructure workers.” However, effective May 7, 2020 at 12:01 a.m., workers in the real-estate industry are considered workers who perform a “resumed activity,” and designated workers in the real-estate industry are permitted to resume in-person work on May 7, 2020, only in accordance with social distancing and other requirements of Executive Order 2020-70. Appraisers, surveyors, real-estate agents and brokers, and real-estate industry workers are regulated by the Michigan Department of Licensing and Regulatory Affairs. Also, notaries who may perform work in the real-estate industry are regulated by the Michigan Secretary of State. These persons and entities should contact their respective regulators with any questions.

Any in-person business operations must abide by all applicable conditions in Executive Order 2020-70, such as social distancing practices and other mitigation measures to protect workers and patrons. Businesses in the financial services industry that remain open for in-person work must take aggressive steps to minimize the spread of coronavirus, including, but not limited to:

- Promoting remote work to the fullest extent possible.
- Restricting the number of workers present in-person on the job and providing at least non-medical grade face coverings to those workers.
- Keeping employees at least six feet from one another to the maximum extent possible and enabling social distancing for customers who are standing in line.
- Any other social distancing practices and mitigation measures recommended by the Centers for Disease Control and Prevention.

Entities and persons regulated by DIFS must continue to comply with all applicable statutory and regulatory deadlines and requirements unless such deadlines and requirements are expressly waived or modified by the Director.

Companies regulated by DIFS that experience difficulty in meeting any statutory or regulatory deadline or requirement as a result of the COVID-19 pandemic must contact DIFS immediately.

Any questions regarding this Bulletin should be directed to:

Department of Insurance and Financial Services
Office of Consumer Finance
530 W. Allegan Street – 7th Floor
P.O. Box 30220
Lansing, Michigan 48909-7720
Toll-Free: (877) 999-6442

/s/

Anita G. Fox
Director