

Radon Checklist—Residential Real Estate (Seller)

| Check off each item as they are completed | Done |
|---|------|
| Discuss the implications of unhealthy concentrations of radon gas with the seller | |
| <ul style="list-style-type: none"> • Explain what radon gas is and its health implications to the seller. <input type="checkbox"/> • Ask if the sellers have tested their home for the presence of radon gas and whether they used a reliable radon test. <input type="checkbox"/> | |
| If the seller has tested for radon | |
| <ul style="list-style-type: none"> • Ask for a copy of the certified test results. <input type="checkbox"/> | |
| The results show less than 150 Bq/m ³ | |
| <ul style="list-style-type: none"> • If the results were 150 Bq/m³ and below, this may be a selling feature as no remediation is required at these levels. <input type="checkbox"/> | |
| The results show 200 Bq/m ³ or higher | |
| <ul style="list-style-type: none"> • Ask the seller if they remediated the home and used certified C-NRPP professionals. <input type="checkbox"/> • If the seller has done nothing to mitigate the radon gas, this is a material latent defect and you must disclose the defect to potential buyers. <input type="checkbox"/> • Discuss with the seller the potential for them to obtain a remediation estimate or remediate the defect. <input type="checkbox"/> | |
| If the seller has not tested for radon | |
| <ul style="list-style-type: none"> • Inform them of the different approaches buyers may take. <input type="checkbox"/> • If the home was built after November 1, 2015, look for the rough-in installation for a radon sub-slab depressurization system. <input type="checkbox"/> • Provide the sellers with radon-related links or publications. <input type="checkbox"/> | |

Check off each item as they are completed

Done

- Proceed with an offer to purchase and ask you to draft a holdback term for the offer that contemplates reliable testing and remediation, as necessary (be certain to provide an alternative in the event the seller does not agree to a holdback provision). A good holdback clause will contain the following elements:
- ✓ The buyer's lawyer holding the holdback.
- ✓ When will the buyer undertake the radon test (should be during three months of the heating period).
- ✓ The buyer will inform the seller of the radon test results within a specified time from the test results being received.
- ✓ If the test results indicate radon levels above 200 Bq/m³ or higher, the buyer will undertake remediation by a specified period of time.
- ✓ If the test indicates radon levels above 200 Bq/m³ or higher, the buyer will be entitled to the actual remediation costs from the holdback amount, up to the holdback amount.
- ✓ The seller will be entitled to the entire holdback amount if the radon test is not performed by the date specified, if the radon levels are below 200 Bq/m³, or if the remediation is not completed by the specified time.
- ✓ The seller will be entitled to any funds left over once the remediation costs have been completed.

If the buyer asks you questions beyond the information that has been provided in this course refer them to the CARST member directory so that they can select and seek the advice of a radon expert. If the buyers concern relates to a specific purchase transaction, you need to be part of the discussion so that you can provide the buyer with the implications of the options being considered from a trade perspective.