

Radon Due Diligence Checklist: Representing Commercial Tenants

This checklist is not an exhaustive list of all radon matters in connection with a potential real estate transaction but is provided to assist real estate professionals perform their due diligence activities.

When representing a tenant:	Done
<p>Provide Radon Information</p> <ul style="list-style-type: none"> • Discuss what radon is and its health impacts. • Educate the tenant about available resources: <ul style="list-style-type: none"> - Guide for Radon Measurements in Public Buildings, available on the Government of Canada website at canada.ca. - Radon in our Homes: The Science Behind the Danger, available on YouTube at youtube.com. <p>If the tenant plans to use the property for a childcare facility:</p> <ul style="list-style-type: none"> • Notify the tenant of the amendments that will be made to the <i>Child Care Licensing Act</i> once the <i>Radon Awareness and Testing Act</i> is proclaimed. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>Inquire About Plans for Property</p> <ul style="list-style-type: none"> • Ask the tenant if they plan to make major alternations to the property, including: <ul style="list-style-type: none"> - Replacing HVAC components. - Replacing, adding, or removing building envelope penetrations (e.g. new windows or doors). - Adding or removing walls. <p>If the tenant is planning to make major alterations to the property:</p> <ul style="list-style-type: none"> • Advise that previous radon testing done by the landlord is invalid as the alterations can change how radon is drawn into and retained by the building. <p>If the tenant is not planning to make major alterations to the property:</p> <ul style="list-style-type: none"> • Ask the landlord if they or a C-NRPP certified measurement professional has recently tested for radon. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>Landlord Has Tested for Radon</p> <ul style="list-style-type: none"> • Ask who performed the testing. • Ask what device(s) were used for testing. • Ask the length time over which testing was undertaken. • Ask where the measurement(s) were taken. • Ask for a copy of the certified test results. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>Radon Levels are 150 Bq/m³ or Less:</p> <ul style="list-style-type: none"> • Advise the tenant no remediation is required at this radon level. 	<input type="checkbox"/>
<p>Radon levels are around 200 Bq/m³</p> <ul style="list-style-type: none"> • Discuss with the tenant the implications of this radon level. • Seek the tenant's direction on how they want to proceed. 	<input type="checkbox"/> <input type="checkbox"/>

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<p>Radon levels are 200 Bq/m³ or Higher</p> <ul style="list-style-type: none"> • Ask the landlord if remediation measures have been taken to reduce the radon level. 	<input type="checkbox"/>
<p>Landlord Has Not Performed Radon Remediation</p> <ul style="list-style-type: none"> • Inform the tenant and ask how they want to proceed. • Notify the landlord's representative of the landlord's obligation to comply with the <i>Public Health Act</i>. 	<input type="checkbox"/> <input type="checkbox"/>
<p>Landlord Has Performed Radon Remediation</p> <ul style="list-style-type: none"> • Ask the landlord for details about the remediation measures taken. • Request evidence of the work completed (e.g. names of service providers, receipts, details of any follow up testing). 	<input type="checkbox"/> <input type="checkbox"/>
<p>Landlord Has Not Tested for Radon</p> <p>If the tenant is unsure whether radon testing is necessary:</p> <ul style="list-style-type: none"> • Advise the tenant to seek an expert opinion whether testing should be pursued. • Ask the tenant how they want to proceed once expert advice has been obtained. <p>If the tenant wants radon testing performed:</p> <ul style="list-style-type: none"> • Discuss obtaining an estimate for the cost of testing and incorporate it into the lease negotiations. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>