

Strategies for Increasing Tenant Protection from Radon

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***Background:
The Need and Rationale***

Evolution of the Tenant Protection Focus

- 2021 updates to NRAP
- Emergence of sentiment within Leadership Council in 2022
 - Need for state and local policy to supplement federal / GSE activity
 - Desire for a coordinated effort to prompt new policies

Policy Landscape

Policies in Effect for Rental Housing

- Tenant Awareness / Notification
 - Colorado; Illinois
- Testing of Units
 - Boulder County CO: every five years (short-term rentals)
 - Maine: within one year of enactment
- Testing of Units with Radon Reduction ≥ 4 pCi/L
 - Iowa City IA: within two years of enactment (single family and duplexes)
- Pre-Occupancy Test Result of Radon < 4 pCi/L
 - Montgomery Co MD; South Brunswick, NJ
- Testing Requirements – Property-Wide
 - HUD FHA Multifamily Loans; Fannie Mae and Freddie Mac Multifamily Lo

Potential Policy Levers

- State Landlord-Tenant Law
- Other state-wide legislation
 - Radon Awareness and Notification Law
- Housing or Property Maintenance Code
 - National Healthy Housing Standard
- Implied Warranty of Habitability
 - Litigation target

Model language - under development

Key Elements - Rental Protection from Radon

- Model: test, and mitigate if radon \geq the EPA action level of 4 pCi/L
- Relevant standards - ANSI-AARST MA-MFLB and SGM-MFLB
- Certification (including state credential) required for all work
 - Laws should allow tenants to screen - same as owner-occupants
- All building types
 - Building-wide and unit turnover triggers involve different approaches
- Explicit retesting schedule per standards
- Awareness - Notification if testing requirement not feasible
 - Tenants to be permitted to escape lease without financial penalty

Allies and Stakeholders

- Local and state partners of national environmental organizations
- Local and state affordable housing advocates
- Cancer survivors and lung health advocates
- ALA State / Regional Offices
- AARST Chapters
- State Radon Programs
- State Cancer Control Programs / Consortia

What's Next: Engagement

Outreach Efforts

- National organizations focused on tenants
 - National Low Income Housing Coalition, National Housing Law Project, Housing Justice Network
- National environmental and public health organizations
 - Alliance of Nurses for Healthy Environments, American Cancer Society Cancer Action Network (ACS CAN), American Public Health Association, Lung Cancer Action Network, National Association of City and County Health Officials, National Environmental Health Association, Trust for America's Health
- Meeting in November - to inform / equip national partners and discuss participation in announcing / disseminating
- NRAM – webinar to inform potential state and local partners

Thank you for your attention!