

Model Legislation

Real Estate Transactions Notification Required; Radon Gas

Legislative intent. – The general assembly (General Court, Legislature) recognizes that radon is an odorless, colorless, tasteless, and radioactive gas that occurs naturally in soil and groundwater; that radon enters homes and buildings through openings in foundations, decays to form radon progeny, and unless vented to the atmosphere, accumulates in buildings and becomes hazardous to human health, and prolonged exposure to elevated concentrations of radon decay products has been associated with increases in the risk of lung cancer. The general assembly recognizes that there is a need to protect human health and prevent exposure to elevated concentrations of radon and a higher risk of mortality from lung cancer.

I. Prior to the execution of any contract for the purchase and sale of any interest in real property which includes a building, the seller, or seller's agent, shall provide a copy of the *US EPA's Homesellers and Buyer's Guide To Radon* to the buyer. The buyer shall acknowledge receipt of this notification by signing a copy of such notification:

"I (We) have received a copy of the US EPA's *Homesellers and Buyers Guide to Radon*. Radon Gas: Radon gas, the product of decay of radioactive materials in rock may be found in some areas of Massachusetts. This gas may pass into a structure through the ground or through water from a deep well. Testing can establish its presence and equipment is available to remove unsafe levels from the air or water."