



Illinois Radon Policy **Taskforce**

ILLINOIS LAW HELPS PROTECT TENANTS FROM RADON

(PUBLIC ACT 103-0298, A CHANGE TO 420 ILCS 46/ ILLINOIS RADON AWARENESS ACT)

TENANTS RIGHTS AND LANDLORD ACTION WILL PROTECT AGAINST RADON

EFFECTIVE JANUARY 1, 2024, A NEW LAW HELPS PROTECT RENTERS FROM RADIOACTIVE RADON

1. Landlord must give a radon awareness piece to potential tenants and renewing tenants, (or current tenants, if they request). *Awareness piece is available at Ill. Emergency Management Agency (IEMA) website after Dec. 2023.*

2. Landlord must give a disclosure form about known radon levels in the unit and any test records, to potential tenants (or current tenants, if they request). *This form is available at IEMA website after Dec. 2023.*

3. Tenant can test apartment during the first 90 days of the lease, or renewal, using a professional or DIY test, and send results to Landlord within 10 days. If at or above 4 Picocuries per liter, they may request landlord mitigate (remove) the radon.

4. Landlord can choose whether to mitigate the radon or not, if they choose within 30 days, using a professional tester. If this test does not show high radon, no action is required. This test supersedes results from tenant's test.

5. Landlord can mitigate high levels of radon, to below Picocuries per liter.

6. Tenant can, If Landlord does not mitigate within 60 days:

A. leave the lease, without penalty, or

B. have a mitigation system installed, with Landlord's permission, by a professional, the costs of which will be subtracted from the rent in equal portions across the rest of the lease period.

Other Notes:

- It is recommended a test be performed after any mitigation to ensure performance.
- All test results are deemed valid for 2 years unless any renovation, addition, or substantial modifications are made to the building.
- This regulation applies even in Home Rule jurisdictions.
- No testing nor mitigation is REQUIRED by any party.
- The IEMA strongly recommends testing and mitigating high radon on all rental properties.

This handout is courtesy of Illinois Radon Policy Taskforce. Questions answered by the Illinois Emergency Management Agency Radon Program.