



## NEW ILLINOIS LAW HELPS PROTECT TENANTS FROM RADON

**EFFECTIVE JANUARY 1, 2024:**

**A NEW LAW HELPS PROTECT RENTERS FROM RADIOACTIVE RADON.  
(PUBLIC ACT 103-0298. A CHANGE TO 420 ILCS 46/ RADON AWARENESS ACT)**

## TENANTS RIGHTS AND LANDLORD ACTION WILL PROTECT AGAINST RADON

### Guidelines:

1. **Landlord must provide a disclosure form** about known radon levels in the unit and any test records, to potential tenants (or current tenants, *if they request*). The form is available on IEMA website after 12/2023. (<https://iemaohs.illinois.gov/nrs/radon/lessors-tenants.html>).<sup>1</sup>
2. **Landlord must provide radon awareness literature/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 12/2023.<sup>1</sup>
3. **Tenant may test** apartment during the first 90-days of lease, or the renewal, using a professional radon detection company or by a DIY home test. Results shall be sent to Landlord within 10 days. Result equal to or greater than 4.0 picocuries per liter (pCi/L) exceed the United States Environmental Protection Agency (USEPA) "action level." Tenants **may** request the Landlord to mitigate (remove/lower) the radon gas).
4. **Landlord has the choice to perform radon remediation. WITHIN 30 DAYS.** An IL Licensed radon professional test shall be conducted to validate any DIY results from tenants. If professional results do not exceed the action level, no mitigation is needed. Professional test results **always** supersede a home/DIY tenant test result.
5. **Tenant can, If Landlord does not mitigate withing 60-days:**
  - 5.1 Leave the lease, without penalty, or
  - 5.2 Have a mitigation system installed, with the Landlord's permission, by a licensed professional. The cost will be subtracted from the rent in equal portions across the rest of the lease period.

### NOTES & RADON TESTING FREQUENCY:

- Post-mitigation testing shall be performed 24 hours to 30 days after the installation and activation of a mitigation system to verify maximum performance.
- Results are valid for two-years. Regular retesting is advised on a biennial basis. Test sooner if alterations are made to the dwelling/units that affect air patterns.
- No testing or mitigation is REQUIRED by any/either party.
- **THE IEMA STRONGLY RECOMMENDS TESTING AND MITIGATING HIGH RADON ON ALL RENTAL PROPERTIES.**

**Air Quality • Lead & Mold Risk Assessment • Radon Detection**

**E: [info@usenvi.com](mailto:info@usenvi.com) • PH: 724-467-7328 • W: [www.usenvi.com](http://www.usenvi.com)**