

HOUSE No. 3040

By Mr. Cohen of Newton, petition of David B. Cohen for legislation to inform consumers in real estate transactions of radon hazards within such residential property. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT INFORMING CONSUMERS OF RADON HAZARDS IN THE HOME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 255 of the General Laws is hereby amended by inserting
2 after section 12I the following section: —

3 Section 12J. It shall be a violation for sellers of residential
4 property and/or their real estate agents to fail to include the
5 following written notice in a prominent place on the Offer to
6 Purchase:

7 NOTICE TO PROSPECTIVE BUYERS:

8 You have a right to make this offer to purchase contingent upon
9 a radon test showing an indoor radon level acceptable to you.

10 Radon has been identified as a problem in this state. Radon
11 is an odorless, colorless, tasteless gas that can seep into homes
12 through cracks and openings in a home's foundation. Breathing
13 radon can cause lung cancer. The U.S. Environmental Protection
14 Agency and state Department of Public Health strongly urge you
15 to require any home you intend to purchase to be tested for
16 radon. For more information about testing, call the Department
17 of Public Health.

18 Failure by a real estate agent to include this notice in the Offer
19 to Purchase form provided to prospective buyers shall be punish-
20 able by a fine not to exceed \$1000.

