



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.