

ILLINOIS ASSOCIATION OF REALTORS®



## FAQs for the Illinois Radon Awareness Act

### Introduction:

The newly enacted Illinois Radon Awareness Act (the Act) recently became law and will go into effect on January 1, 2008. REALTORS® should have general knowledge about the existence of the Act and that the provisions will impose some additional duties on sellers of their interests in real property. In short, after January 1, 2008, before a buyer will become bound on a contract to purchase real estate the seller will be required to provide two documents to a prospective buyer: a pamphlet entitled "Radon Testing Guidelines for Real Estate Transactions" and the Illinois Disclosure of Information on Radon Hazards. The language of the latter is set forth by statute. The pamphlet is provided by the Illinois Emergency Management Agency-Division of Nuclear Safety.

Nothing in the Act will require a seller to test for radon or to engage in "mitigation activities." The Act excludes certain types of transactions, which are summarized as follows: Transfers made pursuant to court order, transfers resulting from foreclosure, transfers by fiduciaries of estates, transfers among co-owners, transfers pursuant to testate or intestate succession, transfers made to a spouse or other "lineal" blood relative, transfers made by relocation companies (if the relocation company has the required documents from the original seller) and transfers to or from a governmental entity.