



RADON IN REAL ESTATE:

TRANSFORMING BC'S INDOOR
ENVIRONMENTS

Radon in Real Estate: Professional Responsibilities and Recommendations for Real Estate Licensees

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Key Recommendations for Real Estate Licensees

- ▶ Educate yourself on radon and radon risks in the communities in which you work
- ▶ Know your professional duties, including the Real Estate Council of British Columbia's practice guidelines --Radon Precautions for Real Estate Professionals
- ▶ Proactively advise client about radon risks and ask about known radon levels in the buildings and homes you help buy and sell
- ▶ Treat elevated radon levels as a latent defect— communicate any known information to buyers and be alert to risks of elevated radon levels in untested properties
- ▶ For new homes, make sure the initial owners test the home for at least 91 days once occupied: The Building Code requirements are only for construction of a partial system that can be augmented if radon is found to be elevated.
- ▶ Know options for negotiating radon and including clauses in the Contract for Purchase and Sale
- ▶ Know when to refer clients to certified radon professionals for testing and mitigation
- ▶ Adopt checklists that ensure all steps are taken in the process
- ▶ See addressing radon as a service to the broader community and a way to improve health and safe lives
- ▶ Include radon awareness and outreach as part of social responsibility and quality of life goals
- ▶ Support real estate associations, foundations and governing bodies to create programs, policies, and procedures to systemically address radon
- ▶ watch for new provincial and municipal radon policies

Introduction

Radon gas is a naturally occurring radioactive gas that occurs widely in soils, and which can enter, and over time reach high concentrations in buildings. Chronic exposure to elevated concentrations of radon is now the leading cause of lung cancer after smoking in Canada, responsible for approximately 15% of lung cancer deaths in the country. It is estimated that 7% of homes in Canada have radon levels above Health Canada's Guidelines. Yet high radon is easy to test and reducing radon levels in a home ('mitigation') is effective and relatively inexpensive, making it a preventable problem and cost-effective public health intervention. Once a homeowner is alerted to the radon problem, he or she can buy a home test kit for approximately 30-50 dollars and conduct a long-term test. If the results show elevated levels of radon, radon professionals usually take a 1-2 days to fix the problem and charge an average of 2,900 dollars (including materials, for a house) to install a mitigation system that lasts for decades.

From May to December, 2019, the British Columbia Lung Association's Radon in Real Estate project surveyed current law in British Columbia, looked for examples around the world, and conducted surveys and workshops with members of real estate associations ("realtors") with an eye to seeing how radon could be address during real estate transactions in BC. During the course of our research and outreach we contacted the British Columbia Real Estate Association (BCREA) and Real Estate Council of British Columbia (RECBC) who began to take steps. These include adding radon to the Property Disclosure Statement (BCREA)¹, issuing guidance on radon that treats it as a latent defect (BCREA² and RECBC³), publishing checklists for buyers' agents, sellers' agents, and rental property managers (RECBC)⁴ and including radon in legal update materials for licensees (RECBC). Our reading of real estate licensee duties largely conforms to the current statements from these organizations, and in this document we spell out our interpretation of those duties.

Why Focus on Real Estate Transactions?

Canada's federal government and British Columbia have taken steps to address radon, however, there remains a significant gap concerning homes. Health Canada has set a federal Radon Guideline at 200 Bq/m³ and the National Radon Program produces guidance materials and funds public awareness programs (see our Resources for Realtors for

¹ Van Ert, A. 2019. REALTORS® and Radon: Protecting Buyers and Sellers. British Columbia Real Estate Association. Available at <https://www.bcrea.bc.ca/practice-tips/realtors-and-radon-protecting-buyers-and-sellers/> accessed June 30, 2020.

² Devi, S. 2020. Live Online Course and FAQ Created for REALTOR® Education About Radon Gas. Jun 10, 2020. British Columbia Real Estate Association. Available at <https://www.bcrea.bc.ca/education/live-online-course-and-faq-created-for-realtor-education-about-radon-gas/> Accessed June 30, 2020.

³ RECBC, 2020. Radon Precautions Regulatory Standards Information available at <https://www.recbc.ca/professionals/knowledge-base/articles/radon-precautions-regulatory-standards-information> accessed August 19, 2020

⁴ RECBC, 2020. Radon Precautions for Real Estate Professionals. Available at <https://www.recbc.ca/professionals/knowledge-base/guidelines/radon-precautions-real-estate-professionals> accessed August 19, 2020



links, attached here as Appendix 1). Action in BC has so far been limited with some government buildings and schools tested and licensing requirements for daycares in the Interior Health Authority. One important innovation has been recent updates to the *BC Building Code*: For many parts of the province— municipalities east of the Coast Mountains as well as Abbotsford, Duncan, Hope, Lillooet, Sechelt and Whistler — the Code requires a partial radon mitigation system— colloquially termed a “rough in”— to be built in new homes.⁵ Unfortunately, we still do not have any law or policy covering the vast majority of existing homes in the province.

We think real estate transactions are an important component of radon action. Approximately 7% of homes are bought and sold each year in British Columbia. When people

⁵ BC Building Code, s 9.13.4. Soil Gas Control. available at <http://www.bccodes.ca/building-code.html> accessed October 1, 2019. Also see Note A-9.13.4. Soil Gas Control. see also Table C-4 Division B Appendix C, for Locations in British Columbia Requiring Radon Rough-Ins. for history of radon control see Government of British Columbia, 2014. Information Bulletin, Building and Safety Standards Branch. New Radon Rough-in Requirements. Information Bulletin, Building and Safety Standards Branch, online: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/bulletins/b14-07_new_radon_rough-in_requirements.pdf Accessed March 29, 2018. BC Government, 2018. Building and Safety Standards Branch. Information Bulletin No. B18 – 04 August 24, 2018. available at https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/bulletins/b18-04_2018_edition_of_the_bc_building_code.pdf accessed August 21, 2019.

are buying homes, they are focused on health and safety concerns, and real estate professionals can help drive more homes to be mitigated. As trained professionals, real estate licensees are in a unique position to enhance awareness and education among homeowners on radon and other indoor environmental health issues. They can become “ambassadors” for healthy indoor environments.

Radon is also a significant consumer protection issue for buyers and sellers of homes. In many parts of the United States, sellers have a legal duty to disclose known radon levels and there are often requirements for sellers to provide informational pamphlets to buyers at the time of forming the Contract for Purchase and Sale. In many parts of the United States, in some Canadian provinces and in the United Kingdom, it is common for real estate agents to help buyers and sellers negotiate testing and mitigating for radon as part of the Contract for Purchase and Sale (generally known as “radon clauses”).

Unfortunately, our research found that radon was not normally being raised by buyers, sellers or licensees in real estate transactions in British Columbia. A large majority of respondents who took our survey in 2019 reported that buyer-clients had never voiced concern around radon (83% or 298/360). And of those who did report clients raising the issue, most reported it only having come up a few times (74% or 46/62). Few realtors had ever been given instructions by their buyer-clients to ask about radon in a home: 85% (or 305/361) answered “never”. Of those who said it had happened, most (61% or 34/56) said it only happened once or twice in their career. Some of these numbers could be explained by the fact that the Kootenays, and Okanagan Mainline have seen more public attention to radon due to high levels being reported in these regions. More than half reported buyers never voicing concern (Kootenays—52% or 47 of 91 respondents; Okanagan Mainline-62% or 41 of 67 respondents).

The good news is that even within the existing legal framework much more can be done to ensure radon is discussed in real estate transactions. Radon can easily be incorporated if exposure is treated as a latent defect, real estate licensees proactively raise the issue of radon with clients, and parties negotiate how to fix the problem as part of the Contract for Purchase and Sale. With better maps and increased public awareness, buyers, sellers and real estate licensees will find it hard to avoid the issue, given the high likelihood in many locations that a home will have high radon. Indeed, in partial response to our Radon and Real Estate project, BCREA and RECBC have given new guidance around radon. If real estate licensees recognized existing professional responsibilities and applied those to radon, the situation could be significantly improved.

Real Estate Licensees Current Knowledge and Action

Our research found very few licensees were aware of radon or the guidelines on radon in the *Professional Standards Manual* (as of 2019).

We surveyed members of most Real Estate Boards/Associations in British Columbia. Of 402 respondents, 94.4% said they were not aware of any guidelines or standards around radon that currently apply to BC real estate licensees. Numbers were not much better in areas known to have high radon: Realtors in Kootenays and Okanagan were not more knowledgeable about their professional duties, with almost the same percentage of realtors answered ‘no’ when asked about professional guidelines (for the Kootenays, 91% or 83 of 91 who responded, and for Okanagan Mainline (95% or 63 out of 66 who responded).

Our findings also suggest that realtors are not, generally, taking a proactive approach to informing clients about radon. A large majority of realtors who took our survey reported that buyer-clients had never voiced concern around radon (83% or 298 of 360 who answered the question). Few realtors had ever been given instructions by their buyer-clients to ask about radon in a home: 85% (or 305/361) answered “never”. Of those who said it had happened, most (61% or 34/56) said it only happened once or twice in their career. We heard a number of times that clients did not raise the issue and realtors did not proactively introduce it.

That said, we did find a small group of realtors who were knowledgeable and confident in advising clients on radon (37 people who answered our survey). We also found realtors who asked sellers about radon levels in their homes (49), consulted maps and guides to know radon levels in their community (35) and who regularly advised their clients on how to include radon issues in the contract for Purchase and Sale (4). These findings suggest that with the new directives from BCREA and RECBC, the situation is likely to change.

Answer	BC	Kamloops	Kootenays	Okanagan Mainline	BC Northern
What phrase best describes your knowledge of radon?					
Almost Nothing, I am taking this survey as a way of learning	24% 91/373	5% 1/21	12% 11/93	14% 10/69	32% 12/37
I have been told its important in real estate practice, but need more information to advise clients	41% 153/373	52% 11/21	49% 46/93	52% 36/69	38% 14/37
I am confident in my knowledge and advising clients	10% 37/373	14% 3/21	20% 19/93	17% 12/69	8% 3/37
What do you think are Canada's Radon Guidelines?					
200 Becquerels per cubic metre	19% 70	45% 10/22	32% 30/93	25% 17/68	19% 7/37
I have no idea	72% 270/375	55% 12/22	56% 52/93	63% 43/68	81% 30/37
Have home buyers voiced concern around elevated radon in homes they sought to purchase?					
No	72% 261/361	71% 15/21	52% 47/91	61% 41/67	76% 28/37
Yes, but 1 or less per year	18.01% 65	24% 5/21	23% 21/91	28% 19/67	19% 7/37
Yes but under 5% of the buyers I work with	6% 20/361	5% 1/21	15% 14/91	4% 3/67	3% 1/37
Yes, 5% or more	5% 18/361	0	9% 8/31	3% 2/67	3% 1/37

Radon Directly Affects the Interests of Buyers

People moving into a new home can be expected to care deeply whether it will significantly increase their risk of lung cancer. Radon is also a concern for businesses and potential owners of rental properties. People who control spaces have an obligation to ensure they are safe for people who visit, work and live in those spaces. These risks are part of the interests of potential buyers that real estate licensees need to understand.

Landlords and others who control buildings may be liable in damages under the *Occupiers' Liability Act*. If a building owner or landlord does not take adequate steps to ensure the building is safe, a tenant, or a visitor to a building who is harmed can sue in

court for compensation.⁶ Occupiers have been found liable for damages caused by omissions such as failing to install smoke alarms, and failing to install hand rails on stairs. Radon is a leading cause of lung cancer, and it is likely that in the future renters and employees who suffer from lung cancer will be able to prove this was caused by high radon environments they have lived, and worked in. Landlords are also responsible under the *Residential Tenancies Act* to ensure the spaces they rent are in good repair and offer quiet enjoyment to tenants. In Ontario and Quebec tribunals have found renters should be protected from high radon levels.⁷

Employers have broad duties to ensure the health and safety of their workplaces.⁸ This includes ensuring that dangerous gases do not accumulate (or are vented out).⁹ There are also specific provisions covering ionizing radiation.¹⁰ British Columbia's *Workers Compensation Act* also recognizes radon induced lung cancer as an occupational disease.¹¹ Ontario has set an example and issued guidelines for how the national Naturally Occurring Radioactive Material (NORM) Guidelines work together with general duty clauses to require radon reduction in workplaces to below 200 Bq/m³ where possible.¹² This reasoning should be persuasive in BC. Likewise, schools and childcares are under duties to ensure the safety of the students and children who attend them.¹³

Specific Responsibilities

We suggest real estate licensees should incorporate the following principles into their practice. In our workshops we heard some realtors were wary of being given additional responsibilities. However, the following list outlines guidance on existing responsibilities, and should not be overly cumbersome to enact. Indeed, the principles we list here are already included in education materials and bulletins in Alberta and BC.

Licensees should be educated about radon risks and proactively inform clients

The courts are clear real estate agents must generally act in the best interests of their client¹⁴ as well as act with reasonable care and skill.¹⁵ Courts will ask what sorts of

⁶ Occupiers Liability Act R.C.B.C 1996, c. 337 s. 6 (1)

⁷ CET-67599-17 (Re), 2017 CanLII 60362 (ON LTB); Duff Conacher c. National Capital Commission, file 22-051117-006G; 22-060118-001T-060227 decision of 28 September 2006, Barak c. Osterrath, 2012 CanLII 150609;; Bonin c. National Capital Commission, 2013 CanLII 122747 (QC RDL); Pickard c. Arnold, 2015 CanLII 129833; Bramley c. Vanwynsberghe, 2017 QCRDL 11313 For broader rulings on indoor air quality see Y.A., Y.E., S.A. & B.A. v Regina Housing Authority, 2017 SKORT 75, upheld Regina Housing Authority v Y.A., 2018 SKQB 70

⁸ Occupational Health and Safety Regulation, BC Reg 296/97, Part 4 - General Conditions - 296/97 at s. 4.1

⁹ Occupational Health and Safety Regulation, BC Reg 296/97, Part 4 - General Conditions - 296/97 at s. 4.72 (1) \

¹⁰ OHS, s. 7.17 to 722. Exposures over 1 mSv (which corresponds to about 200 Bq/m³) require exposure plans

¹¹ Workers Compensation Act, RSBC 1996, c 492 6 (1) and Schedule B 4(e) . On the nature of the interaction of section 6 and Schedule B, see WCAT-2010-00802 (Re), 2010 CanLII 22794 (BCWCAT). For the history of these provisions see WCAT-2006-04191 (Re), 2006 CanLII 90863 (BCWCAT)

¹² Ontario Ministry of Labour, Training and Skills Development, 2016. Radon in the workplace available at https://www.labour.gov.on.ca/english/hs/pubs/gl_radon.php, see also Government of Canada, 2013. see also Government of Canada, 2013. Canadian Guidelines for the Management of Naturally Occurring Radioactive Materials (NORM). available at <https://www.canada.ca/en/health-canada/services/publications/health-risks-safety/canadian-guidelines-management-naturally-occurring-radioactive-materials.html> accessed July 6 2020.

¹³ School Act, RSBC 1996, c 412 s. 73 Community Care and Assisted Living Act, SBC 2002, c 75, s. 7

¹⁴ DeJesus v. Sharif, 2010 BCCA 121; Paniccia v. Eckert, 2012 BCSC 1428

¹⁵ Real Estate Rules (3-4)

investigations a reasonably prudent realtor would carry out.¹⁶ RECBC's *Real Estate Rules* provide that a licensee should disclose to the client all known information with respect to any real estate being dealt with.¹⁷ Licensees should also use reasonable efforts to discover relevant facts that a reasonable purchaser might consider, whether this shapes the seller's prospects of making a sale, or the buyer's decisions to acquire property.¹⁸

Licensees can access many existing sources on radon (see our Resources for Realtors for a list). They should understand how to test for radon (e.g. advising clients to use long term testing kits or to hire certified testers) and how mitigators can fix radon. They should inform buyers of the need to ask sellers about radon, and, upon purchase, of the need to test and mitigate. When working with sellers, real estate professionals should ask about radon, and in areas with a high percentage of radon affected homes, be alert to the possibility that untested homes have high radon.

In new homes, real estate licensees should tell initial owners to test the home for at least 91 days, using a Canadian National Radon Proficiency Program (C-NRPP) certified device, once occupied. The building code requirements are only for construction of a partial system that can be easily augmented if radon is found to be elevated. It is critical that new home buyers recognize the importance of testing once they move in to reduce their lung cancer risk.

Licensees should understand more about radon risks in their region

Health Canada recommends that all homes be tested for radon. However, we also know that some regions have a higher percentage of buildings with elevated radon levels compared to others. The main factor is the geology of the soil and whether there are greater concentrations of uranium in the ground: Building design also plays a role and can also vary by region. In some communities, such as Castlegar, there has been extensive testing and sharing of information— one study gained 158 test results and showed 59 percent of Castlegar homes have radon levels above the Health Canada action level of 200 Bq/m³.¹⁹ A further study of more than 800 tests showed 44% above Health Canada Guidelines.²⁰ We still need such detailed information for other BC communities, but there do exist web-based maps that real estate licensees can access to gain insight (We list some in our Resources for Realtors). In areas where a high percentage of homes have elevated radon, licensees should be put on notice concerning the likelihood of a latent defect in a home. Real estate licensees should stay current concerning radon data in their region and be able to discuss radon risks with their clients.

¹⁶ Perrault v. North Vancouver (District), 2010 BCSC 382 (CanLII) at paras. 15-19; Shaw v. Thody, 2014 BCSC 688 at para 35

¹⁷ The Real Estate Council's Real Estate Rules 3-3 (f)

¹⁸ Real Estate Rules (3-3(h)); Perrault v. North Vancouver (District), 2010 BCSC 382 (CanLII) at paras. 15-19; see also Canadian Real Estate Association Realtor Code, Art. 4

¹⁹ Rogoza, D. et. al. 2014. Castlegar: Community-Wide Radon Testing Results. BC Lung Association available at http://www.radonaware.ca/database/files/library/Radon_Home_Testing_Results_2014___Castlegar.pdf

²⁰ Donna Schmidt Lung Cancer Prevention Society, 2017. Lessons From Castlegar. Presentation 25 April 2017, CARST National Radon Conference Banff, Alberta. Available at <https://www.carst.ca/resources/Conference%202017/Presentations%202017/Radon%20Presentation%20CARST%202017%20-%20castlegar.pdf> accessed January 14, 2020

Ensure that property disclosure statements are properly filled in and latent defects communicated

Case law establishes that licensees acting for sellers must inform buyers of latent defects,²¹ and the *Real Estate Rules* confirm this.²² Licensees who fail to do this can be liable to pay compensation or face professional discipline. As the Real Estate Council of BC underscores in its Practice Checklists on radon, Rental Property Managers also need to disclose latent defects—including high radon levels—to prospective and current tenants.

Licensees should request clients seek independent professional advice if radon mitigation needs to be performed.

It is well established that licensees should not give advice on matters outside of the expertise of the licensee.²³ In Canada, radon testers and mitigators are professional certified through C-NRPP. As well, some home inspectors are C-NRPP certified and can assess whether existing radon equipment is working. Do talk to home inspectors you work with about becoming certified through C-NRPP as radon testers—the process is not overly cumbersome and should prove to a useful service.

Real estate professionals should help the buyer and seller reach an agreement for testing and mitigating for radon

Real estate licensees should be comfortable including radon specific language in the Contract of Purchase and Sale. If sellers know radon levels and these are high, the buyer might negotiate a reduction in purchase price reflecting costs of mitigation. Alternatively, the buyer and seller might negotiate a Radon Contingency Clause (or Radon Bond), whereby an amount of money is held in trust and made available for the buyer to use for mitigation. Such clauses/bonds are used in many parts of the world and recommended by real estate associations or public health agencies in the United Kingdom,²⁴ New Brunswick,²⁵ Alberta,²⁶ and radon affected parts of the USA.²⁷

²¹ Krawchuck v. Scherbak et al. 2011 ONCA 352; Hanslo v. Barry, 2011 BCSC 1624)

²² Real Estate Rules 5-13

²³ Real Estate Rules 3-3, (d); Canadian Real Estate Association Realtor Code, Art. 10

²⁴ BRE Global, 2018. Frequently Asked Questions About Radon. available at <https://www.bre.co.uk/page.jsp?id=3150buying4> accessed September 26, 2019.

²⁵ New Brunswick Real Estate Association, 2018. I am selling my house. What should I know about Radon? available at <http://nbrea.ca/i-am-selling-my-house-what-should-i-know-about-radon/> accessed September 29, 2019. see also New Brunswick Real Estate Association, 2018. I am buying a home. What do I need to know about Radon? available at <http://nbrea.ca/i-am-buying-a-home-what-do-i-need-to-know-about-radon/> accessed September 29, 2019

²⁶ Real Estate Council of Alberta, 2017. The Regulator. Vol 23, Issue 4. available at <https://www.reca.ca/wp-content/uploads/2018/07/November-2017-Regulator.pdf> Accessed October 1, 2019. at p. 9

²⁷ New Jersey, Department of Environmental Protection. Information for Buyers and Sellers <https://www.nj.gov/dep/rpp/ra-don/homebs.htm>; Virginia, see Paris, R. 2017 Radon in Virginia Real Estate Transactions. available at <http://www.vdh.virginia.gov/content/uploads/sites/7/2017/12/Radon-in-VA-Real-Estate-Transactions-2-HR-rev-SEP-2017-w-VDH-logo.pdf> accessed December 16, 2019; for Colorado see Colorado Department of Public Health and Environment, 2009. Dealing with Radon in Real Estate Transactions. available at <https://www.tchd.org/DocumentCenter/View/1328/Dealing-with-Radon-in-Real-Estate-Transactions?bidId=> accessed December 16, 2019.

When radon levels are not known, the buyers and sellers must also decide who should bear the risk that radon is a problem. In our research we found some real estate professionals advise their clients to make short term radon tests a condition of sale, akin to a home inspection. However, radon levels in a home fluctuate considerably day to day and week to week, and Health Canada recommends that tests be at least 91 days in length.²⁸ We also think there are risks of fraud and poor workmanship if sellers test themselves and hire mitigators. We think a preferable option is to have the seller deduct amounts for radon from the purchase price, or to include a Radon Contingency Clause in the Contract for Purchase and Sale. However, If the costs are allocated to the purchaser it becomes easy for the matter to be put aside and for the issue of testing and mitigation to be forgotten.

Realtors and Corporate Social Responsibility

Real estate brokerage is a business and like other businesses often include corporate social responsibility (CSR) initiatives. These provide for ways to integrate social, environmental, ethical and human rights concerns into business operations and collaboration with stakeholders. While CSR is often identified with broad areas such as human rights and sustainability, there is a growing trend to consider public health issues as an integral component of business practice²⁹ and part of the broader moral duties of economic actors.³⁰ Realtors, like other business leaders, can use CSR to make their business a force of good for the many, whether this be philanthropy, volunteering, ethical business practices, behavioural change or promoting causes. Orienting business around social purpose is also well-established way to build trust with clients, increase impact, bolster growth, improve community profile and heighten the moral and well-being of the workforce.

In BC's real estate industry, "Quality of Life Principles" have emerged as a major focus of CSR and innovation in professional excellence, supported by the British Columbia Real Estate Association, the Real Estate Foundation of British Columbia, and local boards.³¹

In our research we also found examples where realtors in BC had already recognized ways to incorporate radon awareness and advise as part of a broader outreach to clients. One realtor described to us purchasing a supply of detectors and dropping them at clients' home so that they will be encouraged to test. As well, realtors can help contribute to community testing by buying test kits from the British Columbia Lung Association,

²⁸ Health Canada, 2017. Guide for Radon Measurements in Residential Dwellings (Homes) available at <https://www.canada.ca/en/health-canada/services/publications/health-risks-safety/guide-radon-measurements-residential-dwellings.html> accessed January 6, 2019.

²⁹ Macassa, G., da Cruz Francisco, J. and McGrath, C., 2017. Corporate social responsibility and population health. Health Science Journal, 11(5), pp.1-6.

³⁰ Nuffield Council on Bioethics, 2007. Public health: ethical issues. available at <https://nuffieldbioethics.org/assets/pdfs/Public-health-ethical-issues.pdf> accessed December 12, 2019, at p. 28

³¹ Real Estate Foundation of British Columbia and Strandberg Consulting, 2019. Beyond the Transaction: Enhancing Professional Excellence in Real Estate in BC available at <https://www.refbc.com/sites/default/files/2019-REFBC-BeyondTheTransaction.pdf>

or potentially partnering with Take Action on Radon to sponsor community testing initiatives (see our Resources for Realtors). Realtors are well positioned to promote radon awareness and doing so is a way to help people and save lives.

Larger Changes

Radon in homes is ultimately a large social issue and we agree with many of the realtors we spoke to who thought the issue should not just be “on them”. Realtors do have a role in spreading awareness and informing their clients of the problem, but much more can be done to change real estate practice and to institute larger radon policies in British Columbia. We heard strong support from realtors for adding radon to the Property Disclosure Statement (69% or 244/352 on the survey, and 76% in workshops). We are pleased to see that BCREA has now implemented this. As well, many provinces now have education on radon for realtors/real estate licensees, including Alberta, Quebec, New Brunswick and Nova Scotia, generally through relicensing requirements.³² A strong majority of realtors we spoke with in our workshops supported some kind of continuing education (71% or 168/238 who answered). We found that continuing education through BCREA was the most popular (47%, or 112/238). We are now working with BCREA to make that happen.

Ultimately, we see radon in real estate as only one piece of the larger puzzle for how to address radon in the built environment. We think that there are things that real estate licensees can and should do now, but we do not think real estate focused policies should ‘stand-alone’ and replace broader radon law and policy initiatives. We recommend provincial and municipal level radon plans that seek to reduce exposures and lung cancer deaths and provide certainty that radon is being addressed. We need better data on indoor radon levels around the province, clear maps that are easy to access, incentives and subsidies to help share costs and drive testing and mitigation, recognition of radon professionals, and protections for renters and employees.

These initiatives will also have knock on effects for real estate practice, increasing buyer and seller awareness, making it easier to access relevant radon information (such as maps and local risks) and leading to more houses and other buildings being tested and mitigated. Firmer laws mandating acceptable radon levels in workplaces, commercial spaces, and rental accommodation will also drive stronger due diligence requirements in real estate transactions. Real estate professionals will be only one node in broader networks of workers, renters, health professionals, landlords, employers and others who are working to ensure that radon is addressed.

³² Real Estate Council of Alberta, 2019. Renewing My Licence. available at <https://www.reca.ca/professionals-learners/licensing-renewals/renewing-my-license/> Alberta course materials on file with author.

Appendix 1: Web-Based Information on Radon for Real Estate Professionals

The following are some good sources of information on radon in Canada, for those who want to look more deeply.

Links have been verified to be good as of August 19, 2020

General Information

Dr. Aaron Goodarzi's talk "Radon in Our Homes" offers an excellent and engaging introduction to radon (in 12 minutes) and we highly recommend showing this video. It is available here:

https://www.ted.com/talks/aaron_goodarzi_radon_in_our_homes_the_science_behind_the_danger

Health Canada's Radon Reduction Guide for Canadians is also an excellent resource and we recommend handing this out to clients. It is available online: <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/radon-reduction-guide-canadians-health-canada-2013.html> As well, we understand that Health Canada can make this available to realtors to give a hard copy to their clients. Contact Health Canada's Regional Radiation Specialist for BC, Yalda Yavari, yalda.yavari@canada.ca.

The Canadian Federal Government's Radon Information landing page is here: <https://www.canada.ca/en/health-canada/services/health-risks-safety/radiation/radon.html#a1>.

The Government of Canada publication "Radon: Is it in your home?" offers a good introduction. <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/radon-your-home-health-canada-2009.html>

Information for smokers can be found in a resource called "Radon, Another Reason to Quit": <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/radon-another-reason-quit-fact-sheet-health-canada-2010.html>.

The US EPA has a Citizen's Guide to Radon https://www.epa.gov/sites/production/files/2016-02/documents/2012_a_citizens_guide_to_radon.pdf

The World Health Organization has a very detailed radon handbook for Public Health Professionals here: https://www.who.int/ionizing_radiation/env/9789241547673/en/

There are many Canadian government reports and publications on radon that are freely accessible. The radon information starts halfway down the page after the parent topic "Radiation"; <https://www.canada.ca/en/services/health/publications/health-risks-safety.html#a1.1>

In 2018 CAREX Canada and the Canadian Environmental Law Association produced a detailed analysis of law and policy of radon in Canada and Europe, which is available here: https://cela.ca/wp-content/uploads/2019/07/Radon-Policy-Scan-Full-Rept-with-Appendices_0.pdf

Key Radon Organizations in Canada

Take Action on Radon (TAOR--A Health Canada funded radon education and awareness program). <https://takeactiononradon.ca>

TAOR's 100 Test Kit Challenge is here: <https://takeactiononradon.ca/100-radon-test-kit-challenge/>

Canadian National Radon Proficiency Program. <https://c-nrpp.ca>

Canadian Association of Radon Scientists and Technologists. <https://www.carst.ca>

Maps, Professionals, and Test Kits

Cross Canada Survey of Radon Concentrations in Homes (2012). <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/cross-canada-survey-radon-concentrations-homes-final-report-health-canada-2012.html>

Radon Environmental Management Corp. Radon Risk Potential Map for British Columbia. http://www.radonaware.ca/database/files/library/British_Columbia_Radon_Potential_Map.pdf

C-NRPP Radon Map: <https://c-nrpp.ca/radon-map/>

C-NRPP Find a Professional: <https://c-nrpp.ca/find-a-professional/>

BC Lung Association sells test kits, with the advantage that results will contribute to public databases and maps for BC Communities <https://thelungassociationbc.squarespace.com/>

Specific Resources for Real Estate Professionals

Real Estate Council of BC's Radon Precautions for Real Estate Professionals. <https://www.recbc.ca/professionals/knowledge-base/guidelines/radon-precautions-real-estate-professionals#advise-your-buyer-or-tenant-client-of-the-importance-of-radon-testing>

British Columbia Real Estate Association FAQ on Radon. <https://www.bcrea.bc.ca/wp-content/uploads/BCREA-Radon-FAQ-June-2020.pdf>

Canadian Real Estate Association's "Homeowners Guide to Radon" https://www.crea.ca/wp-content/uploads/2016/02/A_Homeowners_Guide_to_Radon_CREA.pdf

Real Estate Council of Alberta Information Bulletin on Radon. <https://www.reca.ca/wp-content/uploads/PDF/Radon.pdf>

Real Estate Council of Alberta's Radon Checklists for Real Estate Licensees: <https://www.reca.ca/wp-content/uploads/2019/06/Radon-Checklists-FINAL.pdf>

New Brunswick Real Estate Association "I am selling my house. What should I know about Radon?" <https://nbrea.ca/i-am-selling-my-house-what-should-i-know-about-radon/>