

New Rules on Radon Disclosure Pennsylvania Home Sellers Must Know

A shift in residential real estate practice is taking shape as the requirement for radon disclosure Pennsylvania expands. The change affects homeowners, buyers, and agents who must now treat radon testing results as a formal part of property transactions. The new rules aim to reduce long-term health risks associated with radon exposure, a known cause of lung cancer.

Radon is a colorless, odorless radioactive gas that seeps into buildings through cracks in foundations, gaps around pipes, and other openings in the building envelope. It originates from the natural decay of uranium in soil and rock. Pennsylvania has some of the highest indoor radon levels in the United States, particularly in the Reading Prong geological region that cuts through the southeastern part of the state. The Pennsylvania Department of Environmental Protection has consistently ranked the state among the top for radon risk.

Until recently, the legal framework for [radon disclosure Pennsylvania](#) was uneven. Some counties required disclosure during a home sale, while others left it to the buyer to request testing. The new standard creates a uniform requirement across the Commonwealth, closing the patchwork of local ordinances that confused home sellers and real estate professionals. Under the updated rules, sellers must provide buyers with any existing radon test results for the property before the sale is finalized. If no test has been performed, the seller must disclose that fact in writing and offer the buyer the option to conduct a test before closing.

Health and Financial Implications

The health risks of radon are well documented. The U.S. Environmental Protection Agency estimates that radon causes about 21,000 lung cancer deaths per year in the country. For nonsmokers, it is the leading cause of lung cancer. In Pennsylvania, where nearly 40 percent of homes tested in certain counties show radon levels above the EPA action level of 4 picocuries per liter, the risk is acute. The new disclosure rule is designed to give buyers the information they need to make an informed decision about mitigation measures.

Financially, radon mitigation can cost between \$800 and \$2,500 for a typical home, depending on the severity of the problem and the construction type. The disclosure rule does not require the seller to fix the problem, but it does put the buyer on notice. In a competitive market, a known radon issue can affect the sale price or lead to a contingency for mitigation. Real estate agents have started to advise clients to budget for a radon test early in the listing process, so that if elevated levels are found, the seller can choose to mitigate before listing or negotiate from a position of knowledge.

How the Disclosure Process Works

The process is straightforward. Before accepting an offer, the seller must complete a radon disclosure form and provide it to the prospective buyer. The form includes spaces for the seller to note whether a test has been done, the date of the last test, the results, and whether any mitigation system is in place. If the seller has never tested, the form requires a statement to that effect. The buyer then has the right to conduct a test at their own expense within a specified period, typically 10 days, and may cancel the contract if the results are unacceptable.

The new rules align with a growing national trend. States such as Iowa, New Jersey, and Florida have tightened their disclosure laws in recent years, and the federal government has encouraged voluntary testing through public health campaigns. Pennsylvania's move is notable because of the scale of the problem and the market size. The Philadelphia, Pittsburgh, and Harrisburg metropolitan areas all contain neighborhoods with elevated radon readings, making the disclosure rule relevant to a large portion of the state's housing stock.

Real estate agents across the state have been updating their contracts and training materials to reflect the new requirement. The Pennsylvania Association of Realtors has published a standard disclosure form that members can use, and many brokerages are holding seminars on radon awareness. The goal is to make the process routine, so that buyers and sellers treat radon disclosure the same way they treat lead paint disclosures or property condition reports.

Enforcement and Penalties

Enforcement falls primarily on the seller. Failure to provide the required disclosure can result in legal liability after the sale. A buyer who discovers an undisclosed radon problem after closing may sue for damages, including the cost of mitigation and, in some cases, diminished property value. The law also provides for rescission of the sale if the seller knowingly withheld test results. While the Pennsylvania Department of Environmental Protection does not actively inspect residential sales, the civil liability creates a strong incentive for compliance.

Real estate agents who fail to advise their clients about the disclosure requirement may also face professional discipline. The state real estate commission has indicated that it will treat failure to disclose as a violation of the agent's fiduciary duty, which can lead to fines, license suspension, or revocation. As a result, many agencies are now including a radon disclosure checklist in their standard listing packages.

What Buyers Should Do

For buyers, the new rule removes a layer of uncertainty. In the past, a buyer might close on a home without knowing the radon levels until after moving in. Now, buyers have the right to demand a test before committing to the purchase. Even if the seller provides a clean test,

buyers should consider conducting their own test after closing, because radon levels can change over time due to soil settling, new cracks, or changes in the home's ventilation.

Testing is simple and inexpensive. Short-term test kits are available at hardware stores for about \$15 and can be placed in the lowest livable level of the home for two to seven days. The kit is then mailed to a laboratory for analysis. Results typically arrive within a week. Long-term tests, which measure average levels over three months to a year, are more accurate but take longer. For a buyer with a contingency period, a short-term test is usually sufficient to determine whether the level exceeds the EPA action threshold.

The new radon disclosure Pennsylvania rule is part of a broader effort to improve indoor air quality and reduce preventable disease. While it adds a step to the home buying process, public health officials and real estate professionals generally agree that the benefits outweigh the inconvenience. As more homes are tested and mitigated, the overall radon risk in the state is expected to decline, making Pennsylvania a healthier place to live.

Looking Ahead

The real estate industry is still adjusting to the change. Early data from counties that already required disclosure show that about 15 percent of home sales trigger a radon contingency, and of those, roughly half result in a price adjustment or mitigation agreement before closing. The remaining transactions proceed with full disclosure and no further action. As the new statewide rule takes effect, similar patterns are expected in regions that previously had no disclosure requirement.

Real estate attorneys recommend that sellers conduct a radon test before listing, even if not required, because it gives them control over the information and avoids surprises during the buyer's inspection period. A seller who knows the radon level can decide whether to mitigate upfront or adjust the price accordingly. Waiting for the buyer to test can lead to last-minute renegotiations that delay closing.

For buyers, the key is to exercise the disclosure right promptly. Once an offer is accepted, the clock starts ticking on the contingency period. Ordering a test immediately after the contract is signed ensures that results are available before the contingency expires. If the test shows elevated levels, the buyer has leverage to negotiate mitigation or a price reduction, or to walk away entirely.

The radon disclosure Pennsylvania requirement represents a practical step toward aligning real estate transactions with public health goals. By giving buyers the information they need to protect their families, the rule addresses a serious health risk without imposing undue burden

on sellers. As more states adopt similar measures, Pennsylvania's experience will serve as a model for how disclosure laws can work in practice.