

RADON

Testing Requirement for Home Sales



As of October 1, 2016, Montgomery County law requires that single-family homes must be tested for radon before completing a sale of the home. (This requirement is contained in Chapter 40 of the Montgomery County Code.)

Who performs the radon test, and when?

Testing must be performed prior to the settlement date, but no more than a year in advance.

The test may be done by the seller, the buyer, or a third party hired by either (such as a home inspector or radon testing professional).

If the seller offers the buyer the opportunity to do the test, but the buyer declines, testing becomes the seller's responsibility.

Both the seller and the buyer must receive a copy of the radon test results.

Which testing devices may be used?

The law states that the test must be done using a County-approved device.

Each device has its own directions that must be followed carefully to ensure accurate results.

For a list of testing devices that comply with the law, go to:
montgomerycountymd.gov/radon

Where does the law apply?

The radon testing requirement applies to detached homes and townhomes in Montgomery County, Maryland.

Exemptions:

- Properties in Barnesville, Kensington, Poolesville and the City of Rockville;
- Units that are part of a condominium regime or a cooperative housing corporation;
- Sales that are exempt from the transfer tax under MD Tax-Property Code, §13-207, as amended;
- Sales by a lender or an affiliate or subsidiary of a lender that acquired the home by foreclosure or deed in lieu of foreclosure;
- A sheriff's sale, tax sale, or sale by foreclosure, partition, or by a court appointed trustee;
- A transfer by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust; or
- A transfer of a home to be converted by the buyer into a use other than residential, or to be demolished.