

SAMPLE REQUIRED TENANT RADON DISCLOSURE LANGUAGE (MUST BE IN BOLD TYPE):

THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT STRONGLY RECOMMENDS THAT ALL TENANTS HAVE AN INDOOR RADON TEST PERFORMED BEFORE LEASING RESIDENTIAL REAL PROPERTY AND RECOMMENDS HAVING THE RADON LEVELS MITIGATED IF ELEVATED RADON CONCENTRATIONS ARE FOUND. ELEVATED RADON CONCENTRATIONS CAN BE REDUCED BY A RADON MITIGATION PROFESSIONAL WHO IS CERTIFIED AND LICENSED. RESIDENTIAL REAL PROPERTY MAY PRESENT EXPOSURE TO DANGEROUS LEVELS OF INDOOR RADON GAS THAT MAY PLACE THE OCCUPANTS AT RISK OF DEVELOPING RADON-INDUCED LUNG CANCER. RADON, A CLASS A HUMAN CARCINOGEN, IS THE LEADING CAUSE OF LUNG CANCER IN NONSMOKERS AND THE SECOND LEADING CAUSE OF LUNG CANCER OVERALL. A LANDLORD IS REQUIRED TO PROVIDE THE TENANT WITH ANY KNOWN INFORMATION ON RADON TEST RESULTS OF THE RESIDENTIAL REAL PROPERTY.

I/WE _____ HEREBY DISCLOSE the following knowledge as the responsible party/realtor/owner/landlord/property manager of the property's radon concentration, including whether a radon test or tests have been conducted on the property; the most current records and reports pertaining to the radon concentrations within the property; a description of any radon concentrations detected or mitigation or remediation performed; and information regarding any radon mitigation system including a system description and documentation, if a radon mitigation system has been installed in the property.

CHECK ALL THAT APPLY:

_____ Yes, we have knowledge of one or more of the above items.

RADON INFORMATION: _____

_____ See attached disclosure documents regarding radon.

_____ No, I/we have no knowledge of the property's radon concentration,

_____ No, there are no current records and reports pertaining to the radon concentrations within the property,

_____ No, there are no known radon concentrations detected,

_____ There is no mitigation or remediation performed and there is no radon mitigation system installed on the property.

Landlord Signature

Date

Tenant(s) Signature.

Date

Tenant(s) Signature

Date

*This disclosure must include a copy of the most recent brochure published by the Department of Public Health and Environment found at <https://cdphe.colorado.gov/hm/radon-and-real-estate>

The law requires the tenant to acknowledge receipt of the disclosure by signing the disclosure. If a landlord fails to make the required disclosures, or does not make a reasonable effort to mitigate the radon within 180 days after being notified by a radon mitigation professional that the air concentration of radon on four (4) picocuries per liter or more, the tenant may void the lease agreement and vacate the property (on or after January 1, 2026, this remedy will not apply to leases that are one year or less in duration). A landlord breaches the warranty of habitability if the required disclosure is not made. For brokers that represent landlords, the Real Estate Commission has not promulgated a form. You may use a disclosure form that complies with 12-10-403(4)(b)(VI), C.R.S. Due to the complexity of this law and the potential for leases to be voided if the required disclosure is not properly made, it is recommended that you use a form that is created by an attorney.