

Testimony in opposition to S2424: Real Estate Sales Disclosures

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Date of Hearing: March 26, 2026

To: Chair Bissaillon and the Honorable Members of the Senate Housing and Municipal Government Committee

I have several concerns about this bill:

- 1) I do not understand why banks acquiring property through foreclosure would be exempted from the radon testing requirements in this bill. Usually such properties are resold by the bank and so why shouldn't the testing requirements apply to them?
- 2) If a property is inherited, why is the inherited property exempted from the radon testing requirements? Why is the estate exempted?
- 3) If a radon test results in the presence of radon and mitigation is required, the cost will add thousands of dollars, which the seller is responsible for. Testing is \$150-\$250. Mitigation procedures are thousands of dollars; and a second test is then required to determine effectiveness of the mitigation. This is expensive.
- 4) Similar to lead testing, are there adequate certified testers and mitigation companies to conduct all of these measures before closing? Lead testing is not required due to insufficient inspectors/abatement professionals available to do the work. What is the availability of the radon professionals given the number of houses sold each year? Is public policy regarding housing really served if inadequate resources delay closings?

I think this bill has unwieldy requirements which would result in unintended consequences. I would suggest the lead inspection model – that testing is not required, but knowledge of the presence of lead must be disclosed.