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Testimony in Opposition to LD 1232

(“An Act to Require Radon Testing for Certain Commercial and Residential Construction”)

J. Andrew Cashman on behalf of the Maine Association of REALTORS®

April 17, 2025

Senator Curry, Representative Gere and members of the Joint Standing Committee on Housing and Economic Development, my name is Andy Cashman. I am the Founder of Resolve Government Relations. We represent the Maine Association of REALTORS®, a professional trade association established in 1936 with over 6,500 members statewide. REALTORS® protect private property rights, build Maine communities, and grow our state’s economy. Our members represent buyers and sellers involved in both residential and commercial real estate transactions. Our membership also includes industry affiliates, such as lenders, closing agents, title agents, appraisers, building inspectors, surveyors, etc. The Maine Association is chartered by the National Association of REALTORS® (NAR), the largest trade association in the country.

The Maine Association of REALTORS® opposes LD 1232 in its original form and in the proposed sponsor amendment. If passed, this bill would require a radon permit for new commercial and residential construction and for improvements or alterations to a commercial structure requiring a building permit. It would also require the installation of radon preventive features which are designed and installed by a Registered Radon Mitigator registered with the Maine State Radon Section at the Maine CDC. Moreover, a certificate of occupancy could not be issued for new construction until the radon level tests less than 4.0 picocuries per liter.

The Maine Association of REALTORS® supports consumer education and voluntary testing so property owners can make informed decisions. If it is the State’s mandate that testing occurs as a public health concern, then adequate funding should be allocated from the State to support equal access to consumer education, testing and mitigation.

Our opposition to this bill is based on these areas:

- 1) Property Owners Should Decide: Our members work hard to educate buyers on all aspects of purchasing or constructing a property – including what types of inspections and tests they should consider. We believe that the well-educated buyer



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is the best entity to decide what tests and inspections they want to pursue. Mandatory testing adds to the cost of housing and can also delay the transfer of property.

- 2) Capacity of the radon testing infrastructure: The bill as drafted will exponentially increase the testing required. Current laboratories in our state are not equipped to service this mandated demand and testing infrastructure will likely be overwhelmed by new testing. If unprepared, this infrastructure could decline in quality of testing and these mandates could significantly delay the construction or transfer of real estate.

In conclusion, MAR supports life safety measures and consumer education and choice while being mindful of the potential cost burden to property owners. As written, we oppose mandatory requirements which add to the cost of new construction, development, and ownership of residential and commercial property without adequate funding and resources for the mandates. We encourage further review of current radon testing procedures and infrastructure impacts before any changes to the current requirements are implemented.

For these reasons, we urge you to vote Ought Not to Pass on LD 1232. Thank you for your time and consideration.