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STATUTORY REQUIREMENTS NOTIFICATION – FHFA MULTIFAMILY RADON POLICY

The Board of Radon Safety has received inquiries regarding the multifamily radon policy adopted by the GSEs (Fannie Mae / Freddie Mac) on July 1, 2023. The GSEs consolidated policy requires full compliance with all applicable state or local laws governing radon testing or mitigation, further specifying that in the event any conflict between state or local laws and the policy applies, the lender must follow the more stringent requirements.

Kentucky Revised Statutes (KRS) 309.430 through 309.454 establish requirements for the control of radon in the Commonwealth of Kentucky, including but not limited to requirements for performing radon measurement, mitigation, and laboratory analysis. In regard to the GSEs multifamily radon policy, the following statutory requirements are applicable:

1. Effective June 2019, radon contractors and business entities are required to be certified through either the National Radon Proficiency Program (NRPP) or the National Radon Safety Board (NRSB) to perform radon measurement, mitigation, or laboratory analysis. This requirement supersedes the requirements specified within the GSEs multifamily radon policy and must be adhered to in order to comply with applicable state statutes and regulations.
2. Effective June 2019, radon contractors and business entities are required to adopt and follow written standard operating procedures (SOPs) established by a development organization accredited by the American National Standards Institute (ANSI) for radon measurement, mitigation, or laboratory analysis. This requirement supersedes the requirements specified with the GSEs multifamily radon policy and must be adhered to in order to comply with applicable state statutes and regulations.

Additional information regarding the radon statutes and regulations can be found at the Kentucky Board of Radon Safety website: radon.ky.gov. The Board may also be contacted by phone at 502-782-2782 or by email at radon@ky.gov.