



August 6, 2021

Sandra Thompson
Acting Director
Federal Housing Finance Agency
400 7th Street SW
Washington, DC 20219

Dear Acting Director Thompson:

Earlier this year, the Bipartisan Policy Center established a Housing Advisory Council to identify and promote bipartisan housing policies that, among other priorities, work to preserve and build affordable housing and advance racial equity and opportunity. To that end, we are writing to encourage FHFA to adopt a radon testing policy for multifamily housing units that both (1) protects tenants from radon hazards by utilizing science and objective analysis, and (2) allows for an achievable implementation timeline that is not unduly disruptive to tenants, property owners, and the real estate finance industry.

We are concerned that a nationwide radon testing policy FHFA is considering—requiring 100 percent inspection of ground floor units, testing a smaller percentage of units on other floors, and additional quality control testing—is not based on science or objective analysis. If enacted, we fear this policy could unnecessarily increase the cost of rental housing and delay the production of much-needed stock at a time when many American households can least afford these disruptions. Furthermore, we are concerned that any such disruptions could disproportionately impact communities of color, as 58 percent of African American and 53 percent of Hispanic households are renters, whereas less than 31 percent of White households are renters.

First and foremost, we strongly support efforts to protect tenants from radon hazards where those efforts utilize science, objective analyses, and administrative data. For example, we would strongly support efforts to protect tenants from radon hazards that rely on the scientific expertise and objective analysis of the Environmental Protection Agency (EPA).

Since 1993, the EPA has published a *Map of Radon Zones* “to identify areas of the U.S. with the potential for elevated indoor radon levels,” that is “developed using data on indoor radon measurements, geology, aerial radioactivity, soil parameters, and foundation types.” The *Map of Radon Zones* assigns each county to one of three zones depending on these factors in order to predict indoor radon screening levels.

HUD’s implementation experience is also a useful resource. As such, in addition to leveraging the EPA’s longstanding work in this field, we would encourage the use of radon inspection administrative data from HUD to assess and predict the prevalence of radon in multifamily buildings. For example, we understand that, in the first six months since HUD implemented its new testing standards, there was no increase or significant findings of radon in any of the three EPA zones.

Beyond utilizing science, objective analysis, and administrative data to protect tenants, we encourage FHFA to be mindful of the disruptions that the implementation of a standard requiring 100 percent testing of ground floor units and 10 percent of upper floor units would have on renters, property



owners, and the real estate finance industry intime delays and increased costs. With only about 20% of agency business is located in high-radon areas, a one-size-fits-all approach is both impractical to implement and fails to recognize that most properties are in lower-risk areas.

We raise this issue because we understand that there are very few qualified or certified multifamily radon testers in America, particularly in communities with a historically low level of radon and associated health risks. Quotes to test for radon in line with a 100 percent ground floor standard plus 10 percent of upper floor units increase the cost of testing anywhere from \$5,000 to \$20,000 per property. One potential solution to alleviate the time delays would be to allow radon testing to occur post-closing, but this would not alleviate the additional projected cost burden.

We believe that by adopting radon testing standards that are based on science, objective analysis, and administrative data, FHFA can protect tenants and avoid undue disruptions to the housing market. In that way, FHFA can help further the affordable housing opportunities available to renters. Thank you for your attention to this matter.

Sincerely,

BPC's Housing Advisory Council



BPC Housing Advisory Council

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