

BROOKSHIRE OWNER'S ASSOCIATION
Radon Mitigation Policy
April, 2016

Purpose and Scope:

To provide uniform guidance and establish responsibility for owners and the association in the testing and mitigation of excessive radon levels in individual units or buildings.

Background and Concern:

Radon, a radioactive gas, is formed by the natural decay of uranium and thorium in the soil or in minerals like granite. Radon is a known health hazard for which the risk is determined by the level of concentration and duration of exposure. A radon concentration of 4pCi/L or higher is the accepted limit for high level exposure and the level at which mitigation is required. In addition to its adverse health effects, high radon levels can reduce property value and delay or prevent the sale of a unit.

Rationale and Need for Association Involvement and Policy:

With the exception of doors and windows, unit owners have a reasonable expectation that the building or structure which encloses their unit will provide safe and effective protection from the weather and intrusion of water, vermin, insects, nuisance animals and other potentially harmful sources that could enter their unit through the building enclosure. Radon may enter into a unit in the absence of defect or failure in the common elements and through no fault of the owner or occupants. However, since the Association has maintenance responsibility for the common elements like the basement floor or the ground water collection system, it also has responsibility for controlling or mitigation of the radon if it enters the unit from these areas. The Association also benefits from having a policy to help control the installation and appearance of the mitigation hardware.

Policy:

The Association is responsible for the cost of installation, repairing and replacement of a radon mitigation system if the following criteria are fully met:

- A. When radon concentration is 4pCi/L or higher and not attributed to owner actions.
- B. When the testing is performed by a licensed or certified radon mitigation contractor (see proficiency list below) at the expense of the Unit Owner. If deemed necessary by the Association, a second test may be required at the expense of the Association.
- C. When radon is determined to enter the unit from the common elements such as from the basement floor, walls, building materials or through the ground water collection system.
- D. When the radon mitigation system is installed by a licensed or certified radon mitigation contractor (see proficiency list below). The installation shall include verification testing.
- E. That all required City of Waukesha and Waukesha County permits have been applied for, approved and issued by the appropriate governmental agency.
- F. It will be assumed that both units of a building are affected if one side is tested and

proves to be above the recommended level of radon. Since the sump pump crock needs to be sealed regardless of which side of the building was tested and requires mitigation, it will be up to the Board, working with the contractor, to determine the best and most feasible location of the radon mitigation system with consideration towards the whole building (both units).

The Association is not responsible for mitigating excessive radon levels caused or contributed by the city water supply, materials within the unit like granite counter tops or owner actions. Once the mitigation system is installed, the owner of the unit in which the system is installed is responsible for the cost of electrical supply, monitoring its operation (e.g. routinely checking the pressure manometer) and reporting any suspected malfunction to the Association. The owner shall maintain system integrity by not opening sealed compartments.

Refer to the Wisconsin Radon Mitigation Contractor Proficiency List for qualified and acceptable radon mitigation contractors (<http://www.dhs.Wisconsin.gov/radiation/radon/Lists/MitigProf.htm>).

Should a conflict exist between the provisions of his Policy and those of the Declaration, the Declaration controls.

This document approved by the Brookshire Board of Directors
on: 4/22/2016