The term “guarantee” is not often associated with real estate due to the inherent risks and sometimes unpredictable nature of real estate transactions. Prices and values are market-driven, and contract terms are unique to the parties involved.

Licensees should be careful not to promise that a profit or a rate of return is a certainty. In fact, it is a violation of the Georgia License Law, Rules and Regulations to guarantee or authorize any person to guarantee future profits which may result from the resale of real property. This is considered an Unfair Trade Practice as stated in See O.C.G.A. 43-40-25 (b) (10).

If a licensee promises to purchase one of his/her listed properties if it is not sold in a certain time period, the licensee must be very careful to fairly estimate the value the property before taking the listing. The licensee must also make disclosures stating that he/she will be acting in the dual capacity of agent and principal in the transaction. When providing an estimate of value for a listing, the licensee must be diligent in conducting research to provide a fair and accurate estimate or price range for the property. Otherwise, it may be construed as demonstrating incompetence or dishonesty, if the recommended price is significantly below market. Real estate licensees may find it helpful to review the Unfair Trade Practices (43-40-25) stated in the Georgia License Law, Rules and Regulations and accessible from the GREC website.
Focus: “Guaranteed”

The term guaranteed is defined in Webster’s dictionary as: [https://www.merriam-webster.com

“an assurance for the fulfillment of a condition: such as a) an agreement by which one person undertakes to secure another in the possession or enjoyment of something: b) an assurance of the quality of or of the length of use to be expected from a product offered for sale often with a promise of reimbursement.” Clearly the term guarantee is not often associated with real estate transactions due to the inherent risks involved. Licensees should be careful not to indicate that a profit or return is certain.
Concerns regarding indoor air quality have risen significantly over the past few years. We constantly hear new studies regarding toxins, which are emitted from everything in a home, from paint to plastics to carpeting. Homes are becoming more efficient, better insulated, and more tightly sealed. One of the newest barometers to measure home efficiency is the Home Energy Rating System (HERS). One of the main tests is called a Blower Door Test. A blower door is a very powerful fan that is fixed into the frame of an exterior door. When turned on, the fan pulls all the air out of the house and lowers the air pressure inside. This results in the higher outside air pressure flowing into the house through any unsealed cracks and openings, revealing the air infiltration rate of the home and showing where an air leak may be hiding. Our homes are getting tighter and tighter. Yet, the tightness is not entirely good.

The larger looming issue is the deadly invisible gas Radon which has no odor and exists in all our homes. Radon is a naturally occurring radioactive gas that has always existed on the earth. Radon gas decays into radioactive particles that become trapped in your lung tissue as you breathe. As they break down further these particles continue to release bursts of energy, further damaging lung tissue and sometimes leading to lung cancer. The Surgeon General has warned that radon is the second leading cause of lung cancer in the United States today. Only smoking causes more lung cancer deaths. You cannot see, smell, or taste radon but there is some level of it everywhere. The amount that is normally found in the outside air is 0.4 pCi/L and average indoor radon levels are estimated to be about 1.3 pCi/L. These levels fluctuate greatly depending on geology and soil conditions. The threshold for remediation in homes is 4.0pCi/l. What do these numbers mean and at what level is radon dangerous? Accessing radon levels requires technical knowledge and special skills learned through a professional course of study. It also takes expensive equipment to accurately read current levels of radon in a home.

Radon, like other radioactive materials, is measured in pCi/L. This stands for pico Curies per liter of air. A “pico Curie” is one-trillionth of a Curie, which is the unit that defines the amount of radioactive decays of 1 gram of radium also equivalent to 37 billion radioactive disintegrations per second. Therefore, one pico-Curie works out to 2.2 radioactive disintegrations per minute (dpm) in a liter of air. A “Curie” is named after the famed Nobel winning scientist Marie Curie who discovered radium in 1898 and coined the term radioactivity. Radon is part of the uranium decay chain shown depicted here.

Radon gas is the first decay product of radium, which is a solid. In just under 4 days, each radon gas atom decays 5 times. These radioactive disintegrations take on three different forms: Alpha radiation, Beta radiation and Gamma radiation. The result of a “disintegration” is it changes into a new element each time ... radon → polonium ~218 → lead ~214 → bismuth~214 → polonium ~210 → Lead which has a much...
Indoor Air Quality and Radon Gas
By Mark Caffiers

You are probably wondering if there any way to rid my home of radon? The answer is no not completely. Radon is a serious health issue but it can only be minimized. The risk can be reduced by testing for radon and lowering the radon level in your home. It is very inexpensive to conduct a test to measure the radon concentration in your house. Its largest impact is in houses with basements and houses built on slabs. Houses with crawl spaces should be tested as well. Condominiums on ground floors (slab foundation) as well townhouses with either basements or built on slabs should be tested too. Radon levels can vary due to seasonal effects, weather, wind direction, and speed. Testing once does not guarantee that your levels will always be low. This is why the EPA recommends that homes should be tested for radon every two years as radon levels may fluctuate due to natural cycles.

Radon gas can be mitigated to safer levels established by the EPA. You can minimize the pathways it uses to your home and help ensure a healthier and safer environment. You should not delay testing because you are afraid of finding out the results. In the case of radon, WHAT YOU DON'T KNOW CAN HURT YOU. Encourage your buyers to test for radon. Use an inspection company, which does not mitigate so they are not motivated to find elevated readings.

For more complete information you can find “A Citizen’s Guide To Radon The Guide To Protecting Yourself And Your Family From Radon “ published by the EPA here…


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