

# wellcare<sup>®</sup> information for you about **Renting a Home with a Well**

Modern wells provide a safe, efficient water supply to more than 42 million people nationwide. A professionally installed well is easy to maintain and provides many years of safe, affordable water.

Well water is naturally filtered, and is cool, natural and pure. To keep your drinking water clean and pure, and the well operating at peak performance, regular water testing is an important maintenance tool.

Private well owners are responsible for maintaining and testing their well. But if a rented home's drinking water is supplied by a private well, who is responsible for testing the water? Some states or localities have laws that designate the responsible party in such cases. When no law exists, an agreement should be reached between the renter and landlord to ensure the well is maintained and the water supply remains safe.

## **Where does well water come from?**

Groundwater, which accounts for 98 percent of the world's fresh water, occurs below ground where it is filtered and purified naturally as it passes through layers of the earth. Groundwater is stored in aquifers – layers of soil, sand and rocks, but can come to the surface naturally through a spring or brought to the surface through a well.

## **What steps should a landlord take to maintain a well on a rental property?**

Landlords are ultimately legally responsible for assuring that residential rental units have clean, hot and cold running water. The landlord, like any well owner, should have an annual well checkup by a qualified well contractor. This checkup should include a test of the well water.

## **Who is responsible for testing the water supply?**

Your state or local health department may have laws requiring well testing when a property served by a private well is rented. A link to your state health department can be found on the Water Systems Council website at [www.watersystemscouncil.org/wellcarehotline/wellcarelinks.cfm](http://www.watersystemscouncil.org/wellcarehotline/wellcarelinks.cfm), or call the wellcare<sup>®</sup> hotline at 1-888-395-1033 to find out how to contact your state or local health department.

*This information sheet is intended to assist landlords and tenants in understanding their responsibilities when it comes to maintaining a drinking water well that is located on a rental property. This publication is intended to be used for educational purposes only and does not constitute legal advice. Landlords and tenants should consult legal counsel in their state to ensure compliance with all applicable rules and regulations.*

If there are no laws in your state or county requiring well testing for rental properties, the rental agreement should say that the landlord will test the water supply and will share the results with the tenant. The state or local health department can provide a list of certified laboratories that can perform testing.

### **How often should the water be tested, and what should I test for?**

At a minimum, every well should be tested annually for bacteria. The U.S. Environmental Protection Agency (EPA) also recommends testing for nitrate/nitrite and pH, and recommends consulting with experts about the need to test for contaminants of local concern (if any), such as arsenic, lead or radon. Check with your state or local health department or call the **wellcare® hotline at 1-888-395-1033** to find out what tests are recommended in your area.

### **What if testing shows that contaminants are present? Who is responsible for treatment?**

State or local health departments may require treatment in some situations. If treatment is necessary, the type of treatment will depend on the type(s) and level(s) of contaminants found. Water treatment options include disinfection, point of use treatment (usually at the kitchen sink), point of entry treatment (where the well water enters the home plumbing system), or a combination of these. A water treatment expert can assist you with choosing the best treatment system for your situation.

A list of contaminants regulated for public water systems, and their MCLs can be found on the EPA website at <http://www.epa.gov/safewater/contaminants/index.html#mcls>.

### **Who pays for testing and treatment?**

The rental agreement should state who will pay for testing and for any treatment that may be necessary. The cost of testing can be absorbed by the landlord, paid by the tenant, or shared by both parties. The cost of treatment is usually the responsibility of the landlord.

### **What steps should the home's tenant(s) take to protect their drinking water?**

The individual or family renting the home should take the following steps to help protect their drinking water source:

- Keep household chemicals and paint away from the well and dispose of them properly.
- Take used motor oil to a recycling center.
- Limit use of pesticides and fertilizers. Don't put your hose inside a bucket or container when mixing fertilizer, pesticides or any other chemicals.
- Keep the top of the well at least 12 inches above the ground and don't pile leaves, mulch, dirt, snow or other materials around it.
- Be careful when you mow around your well so you don't damage the well casing.
- Never tie anything – including your pet – to the well.
- And remember, even though your well can meet all the water needs of a modern household, it is important to conserve water to protect the nation's ground water resources.

## For more information about renting a home with a well

New Jersey Department of Environmental Protection. Private Well Testing Act. Retrieved on December 3, 2007 from <http://www.nj.gov/dep/pwta/index.html>.

Rhode Island Department of Health. *Draft* Rules and Regulations Pertaining to Private Drinking Water Systems. (November 29, 2007). Retrieved on December 17, 2007 from <https://kidsnet.health.ri.gov/cgi-bin/wfr>. (Password Required)

Vermont Department of Health. Rental Housing Health Code. (March 1, 2006). Retrieved on December 4, 2007 from [http://healthvermont.gov/regs/Rental\\_Housing\\_Code.pdf](http://healthvermont.gov/regs/Rental_Housing_Code.pdf).

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## For more information about wells and other wellcare® publications

wellcare® is a program of the **Water Systems Council (WSC)**. WSC is a national nonprofit organization dedicated to promoting the wider use of wells as modern and affordable safe drinking water systems and to protecting ground water resources nationwide. This publication is one in a series of wellcare® information sheets. They can be downloaded FREE from the WSC website at [www.watersystemscouncil.org](http://www.watersystemscouncil.org). Well owners and others with questions about wells or ground water can also contact the wellcare® hotline at 1-888-395-1033 or visit [www.wellcarehotline.org](http://www.wellcarehotline.org)



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