California Real Estate Agents Support Seller Disclosure of Tobacco Smoke Residue

The Policy Research Center for Tobacco and the Environment asked California real estate agents to weigh in on whether sellers should be required to disclose toxic tobacco smoke residue in official transfer documents.

Background



Smoking indoors leads to the buildup of tobacco smoke residue, toxic chemical residue that lingers in building materials and on surfaces for years after smoking has stopped.



A 2021 survey of 1,800 California residents showed that 96% of Californians want to know if there is tobacco smoke residue in a home they are buying or renting.



Unlike other environmental hazards, there is currently no legal requirement for sellers to disclose toxic tobacco smoke residue or for buyers to receive education about it.

Methods

In 2024, The Policy Research Center for Tobacco and the Environment used an online survey to ask a select group of 11 real estate agents who sell residential real estate their opinion of disclosure of tobacco smoke residue in real estate transactions.

Results



73% agreed tobacco smoke residue is in the dust of homes where people have smoked.



agreed tobacco smoke residue contains dangerous chemicals.

73%

91% agreed signs of tobacco use in a home reduce its value.



thought the CA Transfer Disclosure Statement____ already required disclosure of tobacco smoke residue.

45%

thought tobacco smoke residue was already listed in the CA Residential Environmental Hazards Guide. But, only 18%

always discuss with sellers whether smoking occurred in the home.



support requiring disclosure of tobacco smoking on a property when the property is transferred.

Overall, real estate agents overwhelmingly support mandatory disclosure and education about tobacco smoke residue. Many believed these policies had already been implemented.



support adding tobacco

smoke residue to the CA Residential Environmental Hazards Guide.

The real estate agents surveyed **did not** believe that the housing market would be negatively impacted.



of the real estate agents believed disclosure would have a positive or no impact on CA home sales.

Conclusion

Adding tobacco smoke residue to the CA Transfer Disclosure Statement and the CA Residential Environmental Hazards Guide is supported by the real estate agents surveyed. Almost half incorrectly believed tobacco smoke residue is already included.

Additionally, real estate agents who are members of the CA Association of REALTORS® are already required to use the Seller Property Questionnaire which asks about smoking and vaping history on a property.

Requiring disclosure and education could be an important step toward improving education and awareness for sellers, buyers, and industry professionals.

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