

wellcare® information for you about

Renting a Home with a Well

Groundwater, which accounts for 30 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.

Modern wells allow us to access groundwater which provides a clean and efficient water supply to more than 13 million households nationwide. A professionally installed well is easy to maintain and can provide safe, affordable water for many years.

Private well owners are responsible for testing their water and maintaining their well. But if a rental home's drinking water is supplied by a private well, who is responsible for testing the water and maintaining the well? Some states or localities have laws that designate the responsible party in such cases. Where no laws exist, an agreement should be reached between the tenant and landlord to ensure the well is maintained and the water supply remains safe. Before renting a home with a well, thoroughly review the rental agreement to make sure the responsibilities are outlined.

Responsibility of the Landlord

Landlords are ultimately legally responsible for ensuring that residential rentals have clean, hot and cold running water. The safety and purity of your drinking water and the efficient operation of your private well system depends on a well-organized maintenance plan. The landlord, like any well owner, should protect their investment in a quality water supply through regular inspection and repair, annual water testing, and treatment.

Well Water Testing

Refer to your rental agreement for who is responsible for testing the water supply. At a minimum, every well should be tested annually for bacteria. Contact your local health department to ask if there are any contaminants of local concern you should also test for, such as arsenic, lead, nitrate, and radon.

Water testing should be performed by a certified laboratory, county extension office, or local health department to ensure the test results are reliable.

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 and should only be used for educational purposes as it does not constitute legal advice. Landlords and tenants should consult legal counsel in their state to ensure compliance with all applicable rules and regulations.

Water Systems Council maintains a list of certified laboratories in each state or province. Visit our website for more information: <https://www.watersystemscouncil.org/water-well-help/water-testing-by-state/>. If you need help determining what to test for or where to test, contact the **wellcare® Hotline** at **1-888-395-1033**.

Well Water Treatment

If a water test shows a contaminant is present, contact your local health department or the **wellcare® Hotline** at **1-888-395-1033** to determine if treatment is necessary. Some contaminants may be more of an aesthetic issue (odor, discoloration, etc.) and may not present any health risks.

Common water treatment options include shock chlorination, point-of-use treatment (POU), point-of-entry treatment (POE), or a combination of these options. A water treatment professional can help you with choosing the best treatment system for your water quality concerns. Before purchasing a treatment device, confirm the system is certified by NSF International or the Water Quality Association to reduce or remove the contaminant that is being treated.

State or local health departments may require treatment in some situations. If there are no requirements, the rental agreement should state that the landlord will improve the water quality if the test results warrant treatment. It is imperative that landlords develop a maintenance plan with the water treatment professional who installed the system to ensure good water quality. The maintenance plan should be provided to the tenant in the rental agreement.

Well Maintenance

Landlords should inspect the wellhead several times a year. Check the condition of the well covering, casing, and well cap to make sure all are in good condition, leaving no cracks or other entry points for potential pollutants to enter. Tenants can also help with visual inspection and this should be addressed in the rental agreement. The well system, including the pump, storage tank, pipes, valves, and water flow should be inspected every 10 years by a licensed well contractor.

Water Systems Council maintains a list of licensed well contractors in each state. Visit our website for more information: <https://www.watersystemscouncil.org/water-well-help/water-testing-by-state/>. If you need help locating a licensed well contractor, contact the **wellcare® Hotline** at **1-888-395-1033**.

Who Pays for Testing, Treatment, and Well Maintenance?

The cost of water testing can be absorbed by the landlord, paid by the tenant, or shared by both parties. The cost of treatment, well inspections, and repairs are usually the responsibility of the landlord. The rental agreement should state who will pay for all well maintenance, including water testing and treatment.

Protect Your Drinking Water

Tenants should take 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. Do not handle or store pesticides and fertilizers within 100 feet of the well.
- Ensure the top of the well remains at least 12 inches above the ground and avoid piling leaves, mulch, dirt, snow or other materials around the wellhead.
- Be careful when you mow around your well to avoid damaging 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 groundwater resources.

Septic Systems

Many times when a home is served by a well it is likely it will also have its own wastewater treatment system called a septic system. Landlords should take the same care in maintaining the septic system as with maintaining the water well. A poorly maintained septic system can pose a serious threat to the quality of your well water and can require expensive repairs. The cost of pumping a septic tank is far less than the expense of replacing a drain field clogged by solids and, not to mention, the overflow would cause the home to be temporarily uninhabitable.

Maintaining a Septic System

Landlords should inspect the septic tank each year for capacity and leaks. Contact a septic service to pump out the tank as needed, usually every three to five years, based on the number of people in the household and the size of the tank. Repair the tank and drain field as needed to prevent leaks of bacteria and nutrients into groundwater.

Landlords should provide written information to the tenants on the basics of living with a septic system including:

- A basic tutorial on drain care.
- A list of septic-safe cleaning products.
- How to use toilets, sinks, tubs/showers, and washing machines.
- Provide the exact location of the septic and drain field and the importance of keeping this area free of heavy objects, and gardens or landscape.

The tenant is usually responsible for plumbing repairs if they flushed damaging items, such as sanitary napkins or diapers down the toilet. However, landlords are responsible for regular pumping of the septic tank and repairs to the system. Tenants should contact the landlord immediately if they notice any permanent wet spots or bad odors emanating from the drain field.

Check with local community resources for brochures if many residents use septic systems or download our wellcare® information sheet *Your Septic System* from our website.

For more information on Renting a Home with a Well

U.S. Department of Housing and Urban Development. *Rental Assistance*.
https://www.hud.gov/topics/rental_assistance

California Department of Consumer Affairs. *Landlords' And Tenants' Responsibilities For Habitability And Repairs*. http://www.dca.ca.gov/publications/legal_guides/lt-8.shtml

The Florida Legislature. *Civil Practice and Procedure. Landlord and Tenant*.
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0000-0099/0083/Sections/0083.51.html

Vermont Department of Health. *Rental Housing Health Code*.
http://www.healthvermont.gov/sites/default/files/REG_Rental_Housing_Code.pdf

Landlordology. *How to Educate Your Tenants about Using a Septic System*.
<https://www.landlordology.com/tenants-using-septic-system/>

FOR MORE INFORMATION to help maintain and protect your water well system:



wellcare® is a program of the **Water Systems Council (WSC)**. **WSC** is the only national organization solely focused on protecting the health and water supply of more than 13 million households nationwide who depend on private wells.

This publication is one of more than 100 **wellcare®** information sheets available **FREE** at www.watersystemscouncil.org.

Well owners and others with questions about wells and well water can contact the **wellcare®** Hotline at 1-888-395-1033 or visit www.wellcarehotline.org to fill out a contact form or chat with us live!

JOIN THE WELLCARE® WELL OWNERS NETWORK!

By joining the **FREE wellcare®** Well Owners Network, you will receive regular information on how to maintain your well and protect your well water.

Contact us at 1-888-395-1033 or visit www.wellcarehotline.org to join!



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