



Environment, Climate and Health **FACT SHEET**

Laws Requiring Private Well Sampling and Disclosure of Results to Residential Tenants

While public water systems that serve 15 residences or an average of at least 25 people for at least 60 days a year are regulated by the federal Safe Drinking Water Act, smaller wells, including private wells serving individual homes and rental properties, are not.

As natural disasters caused or exacerbated by climate change are on the rise, the one in eight Americans that rely on private wells for drinking water, largely in rural communities, should be aware of the potential health risks that flooding, storms, and wildfires pose for their drinking water. These natural disasters can damage private wells and cause underground water sources tapped by private wells to become polluted by a variety of sources, like coal ash, or animal waste from overflowing hog or cattle manure lagoons. According to the Centers for Disease Control and Prevention, about [one in five private wells](#) contain unhealthy levels of contaminants.

While most states' laws include standards for well drilling, only a few states have established water quality testing requirements for private wells or set legal pathways to mitigate and respond to sources of private well contamination. As noted in the Network's resource on state [water quality testing requirements](#) for private wells, state laws and policies requiring water quality testing of private wells vary both in scope and the extent to which that water quality data is made available to the public. And very few require landlords of residential properties to disclose the results of water quality tests to residential tenants. Without this vital information renters might not be aware of contamination in their drinking water— a risk that falls disproportionately on [lower income households and Black and Hispanic households](#). The following chart provides additional details about some statewide laws that require landlords to test water quality and disclose those results to tenants.

State Laws Requiring Water Quality Sampling and Reporting to Rental Residences

STATE	CITATION	SUMMARY	CONTAMINANTS
Florida	Fl. Admin. Code § 64E-8	Drinking water wells that serve two or more rental residences (but do not trigger Safe Drinking Water Act thresholds) must obtain an operating permit and renew the permit annually. Well owners must test for lead and nitrate every 3 years, and test for fecal contamination once every quarter of a calendar year. When samples exceed standards set by the Department of Health, the owner of the well must notify tenants. The notice must be translated into prevalent languages for non-English speaking consumers, and special actions must be taken to provide notice to consumers that are not capable of reading printed material, such as verbal notification and disabling of water outlet. The well owner must also provide fresh water (or a boil water notice if fecal contamination is found) and take action to correct the exceedance.	Bacteria, lead, nitrate and other contaminants identified as a concern
Maine	Me. Rev. Stat. tit. 22, § 2660-Y.	Residential landlords must test for arsenic in private drinking water wells every 5 years, the results of which must be provided to tenants within 10 days.	Arsenic
Maryland	Md. Code Env. § 9-4A, et seq.	All owners of residential rental property served by a private well must test water quality every 3 years, disclose the results to the tenants, and notify tenants of the most recent water quality results when a lease is signed. If the testing reveals an exceedance of drinking water standards, or a harmful level of a contaminant, the owner of the residential property must notify the Department of the Environment and the local health department. In addition to providing potable water to the tenants, the owner must also resolve the issue by either: remediating the contamination, providing an ongoing supply of potable water, or providing the tenant with the option to terminate the lease.	Substances for which a Maximum Contaminant Level has been set by the U.S. Environmental Protection Agency for drinking water quality.
NJ	N.J. Stat. § 58:12A-32 N.J. Admin. Code § 7:9E-2.1	At least every 5 years, the lessor of a property served by a private well must test the well for listed contaminants. The results must be provided to each rental unit within 30 days of the test, and whenever a new renter leases the property. For seasonal rentals, the water quality results must be posted in a readily visible location in the rental unit or provided in writing to each new seasonal renter.	Bacteria; nitrates; iron; manganese; pH; lead, radium, arsenic, certain synthetic organic compounds, PFNA, PFOA, PFOS, all volatile organic compounds for which maximum contaminant levels have been

established by state laws,
and in specified counties
test for mercury and/or
uranium.

Conclusion

This analysis indicates that state policies around water quality sampling of private wells serving residential renters vary widely – both in frequency and extent, if testing is required at all. States considering such policies could use this vital data to assess the type and extent of private well contamination and develop programs to protect private well owners and users from contamination. To keep renters apprised of data impacting their health, states should consider requiring periodic testing and disclosure of private well water data to residential renters.

June 2025

This document was developed by Betsy Lawton, J.D. Deputy Director Climate and Health. The Network promotes public health and health equity through non-partisan educational resources and technical assistance. These materials provided are provided solely for educational purposes and do not constitute legal advice. The Network's provision of these materials does not create an attorney-client relationship with you or any other person and is subject to the [Network's Disclaimer](#).

SUPPORTER

Support for the Network provided by the Robert Wood Johnson Foundation. The views expressed in this document do not necessarily reflect the views of the Foundation.

