

S M O K E F R E E P O L I C Y

Purpose

To address the increased risk of fire, increased maintenance costs, increased insurance costs and the known adverse health effects of secondhand smoke. All buildings including apartments located within the housing authority have been designated as smoke free:

Scope

This policy applies to any and all persons entering a housing authority smoke-free property, including but not limited to, residents, their guests and visitors, contractors and employees.

Policy

1. Smoking will be prohibited in individual housing units and common spaces areas of properties owned and operated by the housing authority. The term “smoking” means the ignition and burning or smoking of any tobacco or hemp product in any manner or any form including but not limited to cigarettes, cigars, pipes, and waterpipes (hookahs), e-cigarettes and vaping.
2. “Individual housing units” are defined as the interior and exterior spaces tied to a particular dwelling unit. This includes, but is not limited to, living rooms, bedrooms, hallways, kitchens, bathrooms, garages, carports, patios and entryways.
3. “Common spaces” are defined as areas that are open to the public, including but not limited to sidewalks, community patios and gardens, playgrounds, common hallways, administrative offices, community centers, day care centers, laundry buildings, parking lots and any other area of a building or complex that is accessible to employees, residents and guests and is within 25 feet of a public housing dwelling unit or facility.
4. There are no designated smoking areas. Smoking is permitted only in areas a minimum of 25 feet outside any public housing building or common spaces as defined in this policy.
5. Residents and guests who smoke must dispose of their smoking materials in proper ashtrays or receptacles designed for the safe disposal of cigarette/cigar butts and matches.
6. The management and maintenance employees will be responsible for enforcement of this smoke-free housing policy.
7. Failure to comply with the terms and conditions of the smoke-free policy is a material violation of the lease and subjects the resident to possible sanctions, up to and including termination of the lease. Costs incurred by the housing authority due to a violation of this policy will be considered the financial obligation of the resident.

8. The head-of-household will be held in violation of the lease if they, or any members of their household, guests, or visitors are found to be smoking in any facility or apartment or anywhere on housing authority property that is deemed nonsmoking area.
9. Four (4) violations will be considered to be repeated violation of the material terms of the lease and will be cause for eviction. Violations of this policy will be enforced with the following actions:
 - a. 1st violation - written reprimand and referral to a smoking cessation class
 - b. 2nd violation - notice of lease violation
 - c. 3rd violation - final notice of lease violation and required conference with property manager
 - d. 4th violation - notice of lease termination
10. A cleaning charge of \$100.00 to \$500.00 (based on bedroom size) may be added to the resident's account if damages resulting from smoking are discovered. This charge will be assessed at move out or when the apartment is scheduled for cycle painting.
11. If the smell of smoke is reported, the housing authority will seek the source of the smoke and appropriate action will be taken. Residents are encouraged to promptly give the housing authority a written statement of any incident where **tobacco** smoke is migrating into the resident's unit from sources outside of the resident's unit.
12. Upon adoption of this policy, all residents of the housing authority will be given a copy of the policy. After review, both incoming residents at first lease-up execution and current residents at next annual re-certification, will be required to sign the Smoke Free Lease addendum. A copy will be retained in the tenant file.
13. The housing authority may post signs that identify the property as a no-smoking area as follows: in English and Spanish languages at Administrative buildings.

Resident Responsibility

1. It shall be the Resident's responsibility to inform his/her household members and guests of this Smoking Policy.
2. The Resident shall prohibit smoking by his/her household members or guests while on the premises that would violate this Policy.
3. Failure to comply, or repeated violations, to the Policy may be cause for lease enforcement actions.