

STEPS TO CREATING SMOKE-FREE APARTMENTS

For Property Owners and Managers



"We have successfully implemented no-smoking policies in several of our new communities, and we have found that residents appreciate the amenity."

– Tom Brenneke, Owner and President of Guardian Management (UNITS, December 2007)

Step 1: Get Informed

- In Minnesota, surveys showed that 95% of apartment managers or owners who have gone smoke-free reported they were "very likely" to continue offering smoke-free buildings. Many stated that their policies either increased or had no impact on occupancy.¹
- Renters are willing to pay more or to give up amenities in order to live in a smoke-free building.¹
- Learn about the effects of secondhand smoke listed on the "Facts About Secondhand Smoke and Health" (included).
- Read the financial "Benefits of a Smoke-free Policy in Your Apartments" (included).
- Read the U.S. Department of Housing and Urban Development (HUD) notice from July 17, 2009 encouraging no-smoking policies or go to <http://www.hud.gov/offices/pih/publications/notices/09/pih2009-21.pdf>

Step 2: Make a Decision and Set a Timeline

- Make a management decision about your policy.
- After you make a decision, decide if the entire complex, just a building or two, or the bottom floors in a building (smoke rises) will be smoke free. If you start with one building, you can expand to the entire complex over time.
- Tenant surveys can help you tailor the structure of your policy. Here are some sample questions:
 - How many allow smoking in their apartments?
 - How many are bothered by secondhand smoke?
 - How many are aware that secondhand smoke exposure causes health issues such as sudden infant death syndrome (SIDS), bronchitis, lung cancer, heart disease, and asthma attacks?
 - Would they prefer a smoke-free policy in the entire complex, in a building or two, or in the lower floors?
- Allow 3-6 months to educate residents about the new smoke-free policy.
- The "phase-in" process of your smoke-free policy takes about one year. You would begin by having new tenants sign a smoke-free lease. Announce the policy change to current tenants and have them sign the smoke-free policy at the time of their lease renewal. This method seems to work best for apartments that have successfully put smoke-free policies in place.



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Step 3: Notify Tenants

- Inform tenants in writing that by a certain date they will need to abide by the new policy if they wish to remain in the building.
- Provide reasonable notice. You will want to notify your tenants about the policy change as soon as possible. They will be renewing and terminating leases during the year.
- Hold a meeting for tenants to discuss the new policy.
- Educate tenants on the health benefits of going smoke-free and offer resources to those who may want to quit. See the "Ohio Tobacco Quit Line" brochure (included).

Step 4: Create Your Policies and Renew Leases

- Create a new lease with a smoke-free provision or a lease addendum with your smoke-free policy.
- Update your house rules (if applicable). An apartment owner who has HUD assisted housing units can add the smoke-free policy to the "house rules" without HUD approval. If the smoke-free policy is a condition of the lease, HUD approval will be needed.³
- Landlords should consult with their legal counsel for provision or addendum language.
- Lease language should define the smoke-free policy, state that it is a violation of the lease to smoke, and contain language on the repercussions of violating the provision.
- Remember: Smoke-free policies are legal.
- Initiate all new and renewal leases with the smoke-free lease language.

Step 5: Post Signage

- Send out a reminder to tenants 60 days prior to the policy going into effect.
- Post smoke-free signs at the entrances to the buildings and common areas to ensure tenants and guests are aware of your policy.

Step 6: Advertise

- Tenants are looking for smoke-free buildings.
- Advertising your building as smoke-free will make it stand out to tenants.
- Post yard signs and banners to attract residents who want to live in a clean-air environment.
- Talk to prospective residents about the policy when the property is shown. Residents are happy to know they will not have to deal with the smell of smoke in the apartment from the last residents.

Step 7: Enforce Your Policy

- Educate residents about what to do if they see someone smoking on the property.
- Visit the property and perform inspections to insure compliance.
- Document violations and get witnesses who would be able to testify to incidents of smoking by tenant.
- Enforce a smoke-free policy the way you would enforce other policy or lease violations.

Step 8: Enjoy the Benefits of Being Smoke-Free

- Enjoy happier, healthier tenants.
- Notice the money you will save on cleaning and repairing smoking units in the coming lease cycle.

Adapted from: *Live Smoke Free Minnesota* www.mnsmokefreehousing.org, *Group to Alleviate Smoking Colorado* www.mysmokefreehousing.org, and *Smoke Free Housing Coalition of Maine* www.smokefreeforme.org

1. Smoke-Free Multi-Housing Research. Live Smoke Free Minnesota. Available at: <http://www.mnsmokefreehousing.org/landlords/research.html>
2. U.S. Department of Housing and Urban Development notice encouraging no-smoking policies. Available at: <http://www.hud.gov/offices/pih/publications/notices/09/pih2009-21.pdf>
3. Landlord Rights: HUD Letter (n.d.). Smoke Free Environments Law Project. Available at: <http://www.mismokefreeapartment.org/14hud.html>



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