Going Smoke-Free:
Steps for Owners and Managers Making the
Transition to Smoke-Free Housing

(Adapted from Smoke Free Housing Toolkit composed by
U.S. Department of Housing and Urban Development, 2010)

Common Myths:

Myth #1: If I implement a smoke-free policy, I will lose money.

Reality: Not only have there been documented maintenance savings resulting from reduced wear and tear on units, there are considerable savings on cleaning and repainting costs. In addition, a smoke-free policy may actually *reduce* a property provider's potential liability for harms to non-smoking tenants caused by secondhand smoke.

There is also no research that indicates that renters are less likely to rent units in non-smoking properties; in fact, renters often look for non-smoking properties, where they don't need to worry about the harms and damages caused by secondhand smoke.

Myth #2: A smoke-free policy will alienate residents.

Reality: Surveys conducted across the country document a preference by a majority of renters to live in smoke-free housing.

Myth #3: Enforcing a smoke-free policy will be too difficult.

Reality: Enforcing a smoke-free policy is a lot less of a headache than mediating disputes between smokers and non-smokers without a policy in place. Landlords must be prepared to follow through with all legal consequences.

What's in it for me?

Safety and Health:

- More people die in fires started by smoking materials than in any other type of fire
- Secondhand smoke is extremely hazardous, especially to children and the elderly.

Legal:

- There is no legal right to smoke in either private or federally-subsidized housing.
- Smoke-free policies do not infringe on a tenant's constitutional right to privacy or any other constitutional right.
- Kentucky law permits housing providers to implement rules and regulations intended to protect residents' health and welfare, such a no-smoking policies.
- Fair Housing and disability laws may be applicable when secondhand smoke infiltrates non-smoking housing units, causing housing providers to incur potential liability.

Savings:

- Fewer instances of burned or smoke-damaged carpets, counter tops, floors, curtains, and other rental property.

- Reduced labor and materials needed to turn over a unit after smoking occupants move out.
- Reduced risk of property destruction by fire, smoke, and water damage.

Going Smoke Free:

Step 1: Survey Residents

Conduct a survey, which will serve two purposes:
     1) gathering information;
     2) alerting residents of possible changes.

A sample resident survey is included with this Toolkit.

Step 2: Set a Timeframe for Change

Well ahead of your target date (at least 60 days), notify residents of your plan to make the building(s) smoke-free by a certain date. Inform them of the benefits of smoke-free housing, such as protecting residents from secondhand smoke, reducing danger of fires, and reducing maintenance and cleaning costs.

If so desired, let them know that there will be meetings to discuss the benefits of smoke-free housing and to provide residents an opportunity to comment.

Step 3: Adopt New Policies in Your Lease or House Rules

Include the language of your new smoke-free policy in the body of your residential lease or as an addendum to the lease to make residents aware of any new policies and to notify residents of their rights & responsibilities.

The language should be specific as to the prohibited behaviors, the areas in which smoking is prohibited, and the procedures used to enforce the new policy.

A model lease addendum is included with this Toolkit.

Step 4: Promote Smoke-Free Policies

In addition to working with residents to implement smoke-free policies and changes to leases, keep all residents informed with regular updates using announcements and postings in common areas and letters addressed and mailed to each lease holder.

Signs and notices should also be posted in appropriate exterior locations and on the grounds to advise residents where smoking is prohibited.

Step 5: Enforce the Policy
In worksites and other public areas where no-smoking rules have been put in place, smoke-free policies have been largely self-enforcing. To ensure that smoke-free policies are enforced, it is important to let violators know that there will be consequences – including possible eviction – should policies be ignored.