
HUDSON HOUSING AUTHORITY

SMOKE-FREE POLICY

Policy: **SMOKE-FREE HOUSING POLICY OF THE HUDSON HOUSING AUTHORITY**

Purpose: **To protect the health and mitigate hazards and property damage the Hudson Housing Authority has declared that all of the properties owned and managed must be smoke-free.**

Scope: **Applies to all residents, employees, guests, contractors, and other invitees.**

I. Smoke-Free Policy Statement

The Hudson Housing Authority is seeking to improve indoor air quality in public housing, benefit the health of public housing residents and HHA staff, reduce the risk of catastrophic fires, and lower overall maintenance costs. In furtherance of these goals, the HHA is forbidding smoking anywhere in restricted areas, as defined in this policy.

II. Definitions

Smoking: Inhalation, exhalation, vaporization, or burning of tobacco or other chemical products used for recreational use in objects or devices, not limited to but including cigarettes, e-cigarettes, cigars, and pipes.

Restricted Areas: Inside housing living units and indoor common areas, administrative office buildings, community rooms or community facilities, laundry rooms, and in outdoor areas within twenty-five (25) feet of all housing and administrative office buildings owned or managed by the HHA.

III. Underlying Basis of Smoke-Free Policy

On December 5, 2016 HUD published a final rule for each Public Housing Agency administering low-income, conventional public housing to initiate a smoke-free policy. The effective date of the Rule and it provides for an 18 month implementation period.

Secondhand smoke (SHS) contains hundreds of toxic chemicals and is designated as a known human carcinogen by the U.S. Environmental Protection Agency, the U.S. National Toxicology Program, and the International Agency for Research on Cancer. The U.S. Surgeon General estimates that exposure to secondhand tobacco smoke (*i.e.*, the smoke that comes from burning tobacco products and is exhaled by smokers) is responsible for the death of 41,000 adults non-smokers in the United States each year from lung cancer and heart disease. Additionally, smoking is the leading cause of fire deaths in multiunit properties. In 2011, smoking caused 17,600 residential fires resulting in 490 civilian deaths, 1,370 injuries, and \$516 million in direct property damage.

IV. Effective Date of Policy

This policy shall be effective as of August 1, 2018 for all tenants, guests, and all employees, contractors, and other invitees.

V. Guidelines

A. Enforcement Provisions

First Violation: The tenant shall receive a verbal warning, which shall be documented in the tenant's file.

Second Violation: The tenant shall receive a written warning, which shall be documented in the tenant's file and state that further violations of the Smoke Free

Second Violation: The tenant shall receive a written warning, which shall be documented in the tenant's file and state that further violations of the Smoke-Free Policy shall result in initiation of proceedings to evict the tenant. Tenant shall also be charged a cleaning fee of \$50.00 payable by way of additional rent.

Third Violation: The tenant may be subject to eviction proceedings.

All violations of the Smoke-Free Policy by HHA employees shall be subject to the HHA personnel policy.

B. Promotion of Smoke-Free Policy: The HHA shall post "No Smoking" signs outside and inside all properties owned or managed by the HHA. Tenants shall be responsible for informing their guests and visitors of the HHA's Smoke-Free policy.

C. Complaints: Any complaints about tenant violations of the Smoke-Free Policy should be made promptly to the management office. Any complaints about HHA employee violations shall be made promptly to the HHA Executive Director. Complaints should be in writing and should be as specific as possible, including the date, time, location, and suspected source of the smoke.

VI. Authority Not a Guarantor of Tenant Health

The HHA shall take reasonable steps to enforce its Smoke-Free Policy, but by adopting a Smoke-Free Policy the HHA does not intend to make the HHA or any of its employees or agents, guarantors of tenants' health or of a smoke-free environment. The HHA cannot and shall not warrant or promise that its premises or common areas will be free from second-hand smoke. The HHA's ability to police and monitor compliance with its Smoke-Free Policy shall be significantly dependent on voluntary compliance by tenants.

VII. Policy Distribution

Upon adoption of this policy, all current tenants and employees will be provided a copy of this policy. Tenants may be required to execute an addendum to their leases with the HHA to acknowledge their understanding that a violation of the Smoke-Free Policy is a substantial violation of the terms and conditions of their lease and that the tenant shall incur a \$50.00 cleaning fee for a second violation of the Smoke-Free Policy.

Adopted: Page 3

Reviewed:

Revised: