

Enforcing a Smoke-Free Policy

When Smoking Has Occured

Keep in mind that the purpose of a no-smoking policy is to protect the property from damage and fire danger, as well as help protect residents from secondhand smoke exposure. The overall goal is to provide a safe and clean living environment for all residents.

Incorporate the no-smoking policy into the written lease through a No-Smoking Addendum or House Rules. Have a process for dealing with violations and complaints in writing. Update violations and complaint forms to include smoking.

If a violation occurs, follow-up promptly and consistently. Here are some ideas:

1. Meet with the resident informally and follow-up with a warning letter acknowledging the conversation and the outcome. Remind the resident about the smoke-free policy, the reasons the policy was implemented, the circumstances of the violation and which cessation services are available.
2. Conduct a "knock and talk". The resident does not have to answer the door, nor do they have to let you in, but if the door opens, it is an opportunity to have a friendly talk about the no-smoking policy. Remind the resident about the smoke-free policy, the reasons the policy was implemented, the circumstances of the violation and which cessation services are available.
3. Send a warning or caution letter reminding the resident of the no-smoking policy and include information about secondhand smoke and cessation. This may be placed under the resident's door accompanied by a knock.



Enforcing a Smoke-Free Policy

When Smoking Has Occured

4. Most no-smoking policies are self-enforcing. Resident can be your greatest allies. If a resident complains about being bothered by smoke or knows of another resident who is violating the policy, document the facts and resolve the matter. Treat violating the no-smoking policy like any other lease violation.
5. Document the details of any visit (date, time, unit number, witnesses) and whether or not you smelled smoke inside the unit and the conversation with the resident. If the problem repeats, follow the enforcement procedure for your agency. Always confer with an attorney prior to pursuing a Termination Notice.
6. If there is a chronic problem with one or more residents violating the policy, consider re-launching an education campaign about the policy prior to moving toward eviction.
7. Consider reaching out to family members and service providers like home health aides, personal care attendants or social workers to help residents comply.

Prior to moving to eviction, consider working with a mediator to help chronic offenders come into compliance with the rule.

