



Smoke-Free Housing:

A Rhode Island Landlord's Guide



Going smoke free in your multi-unit buildings is one of the best moves you can make, both financially and for the health of your tenants.

Smoke-Free Policies Reduce Operating Costs

- The cost of preparing an apartment for a new tenant can be two to seven times greater for a smoked-in unit, than for one where smoking was not allowed.
- Some insurance companies offer discounts on property casualty insurance for multi-unit owners with a 100 percent smoke-free policy. Ask your carrier today!

- Smoking is a leading cause of residential fire and the number one cause of fire deaths in the United States.

Tenants Prefer Smoke-Free Housing

- Surveys from Maine, Washington and Oregon show that as many as 78 percent of tenants, including smokers, would choose to live in a smoke-free complex.
- Secondhand smoke complaints drop after adoption of a smoke-free policy. Nationwide, less than 21 percent of the general population smokes, so it makes sense that a larger number of tenants want to live in a smoke-free environment.

Secondhand Smoke: What You Should Know

Rhode Island smoke-free workplace laws protect workers from secondhand smoke exposure, but there are no laws to protect people from secondhand smoke where they live.

Secondhand smoke drifts from smokers' apartments forcing other residents to breathe it.

Smoke-free apartment policies are quickly becoming the standard for multi-unit housing in the United States. Adopting a smoke-free policy is easy and can help you save money, reduce tenant complaints, improve the health of your tenants, reduce maintenance costs and increase your market share.



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Tenant Health Improves with Smoke-Free Housing

- There is no safe level of exposure to secondhand smoke. The Environmental Protection Agency lists secondhand smoke as a Class A Carcinogen, the most toxic class of chemicals that are known to cause cancer in humans. Secondhand smoke is a leading trigger of asthma attacks and other breathing problems and a known cause of Sudden Infant Death Syndrome (SIDS).
- Secondhand smoke is classified as a “toxic air contaminant,” making it similar in danger to asbestos, lead, vehicle exhaust and a host of other chemicals.
- Ventilation systems do not protect families from secondhand smoke. Most air filter systems are designed

to remove odors, not the toxic particles from tobacco smoke. According to the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), “At present, the only means of effectively eliminating health risk associated with indoor exposure is to ban smoking.”

Some insurance companies offer discounts on property casualty insurance for multi-unit owners with a 100 percent smoke-free policy.

- Smoke does not stay in one place. Research shows that up to 65 percent of the air in a building travels between apartments, exposing tenants in other units to any secondhand smoke that may exist.

Policies are Self Enforcing

- Smoke-free policies are largely self-enforcing. Because tenants tend to prefer a smoke-free environment, they will abide by the policy. Guardian Management, a group managing over 12,000 smoke-free units nationwide, recently released survey results showing that more than three-quarters of their residents are “happy” with the smoke-free policy.

The Monetary Impact

- Costs to fix up a unit where smoking is prohibited are dramatically lower than those of a unit where smoking is allowed. The chart on the next page shows just how much you can save by adopting a smoke-free policy.



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The Monetary Impact

Costs to Rehabilitate a Unit Where Smoking is Prohibited vs. a Unit Where Smoking is Allowed

	Non-Smoking	Light Smoking	Heavy Smoking
General Cleaning	\$240	\$500	\$720
Paint	\$170	\$225	\$480
Flooring	\$50	\$950	\$1,425
Appliances	\$60	\$75	\$490
Bathroom	\$40	\$60	\$400
TOTAL	\$560	\$1,810	\$3,515

Data reflects surveys from housing authorities and subsidized housing facilities in New England. Collected and reported by Smoke-Free Housing New England, 2009.



Existing Laws Allow for Smoke-Free Housing

- There are no federal, state or local laws that prohibit a landlord, housing authority or condominium association from adopting a 100 percent smoke-free policy. You can make your entire property smoke free, including all apartment units and outdoor spaces.
- Smoking is not a legal right. Smoke-free policies do not infringe on the legal rights of others.
- Smokers are not a protected class under any state or federal law. Smoke-free policies are like any other lease provision, such as trash disposal or pet restrictions, and can be adopted and enforced as any other lease policy.
- Both public and private facilities have the right to adopt smoke-free policies. If you are a public housing authority or owner of a subsidized facility, ensure your tenants receive

adequate notice (30 days or more) of a lease change and that HUD and/or your local housing authority approve of any changes to the model lease.

For New Buildings Start Fresh

- The easiest way to implement a smoke-free policy is to make buildings 100 percent smoke free as you develop them. When new tenants sign a lease, be clear about the policy in your contract. You'll find a sample lease included in the "Proud to be Smoke Free" landlord tool kit.

Modify Leases

- When adopting a smoke-free policy, include a lease provision or addendum that outlines the policy. When tenants renew the lease, have them initial that they have read and understand the policy. You'll find a sample lease addendum as part of the "Proud to be Smoke Free" landlord toolkit.

Advertise as Smoke Free

- Include "smoke free" in all advertisements for your vacant units. Smoke-free policies are no different than the inclusion of heat or hot water.
- Approximately 75 percent of tenants want to live in a smoke-free environment. By including a notice that your building is smoke free, you can attract more attention to your listing. Inform potential tenants of your smoke-free policy on all housing applications. This will ensure that all incoming tenants are aware of the rules before they move in to your building. Also, post signs to remind existing tenants, incoming guests and maintenance workers of the policy.



www.livesmokefree.ri.gov



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For Existing Structures with Tenants

- **Build tenant support.** When you're not sure how tenants feel about a smoke-free policy and you want their input, a brief survey might be in order. Asking questions such as, "Has secondhand smoke from another unit ever bothered you?" or "If available, would you prefer to live in a smoke-free environment?" is a great way to involve tenants in the process. You'll find a sample survey included in the "Proud to be Smoke Free" landlord toolkit.

- **Communicate widely.** The success of your smoke-free policy depends on how well you inform your tenants. Including articles in your tenant newsletter, holding tenant meetings so opinions can be voiced, sending a letter to tenants, posting signs, and supplying information on the

harmful effects of secondhand smoke will all help with policy enforcement down the road.

- **Offer support.** Your "Proud to be Smoke Free" landlord toolkit includes a Rhode Island smoking cessation resource guide so that tenants who are ready to quit smoking can get the help they need. Providing renters with this information is a way to show that you care about their well being. Call 1-800-QUITNOW or visit www.quitnowri.com for more information.

- **Give plenty of notice.** Notifying residents about your policy well in advance, isn't only a good idea, it's the law. Neglecting to tell both your new and old residents about your smoking policy is a breach of the duty to provide notice. You may only be required to give 30 days notice per your lease agreement when implementing a smoke-free

policy, but it is recommended that you provide at least 90 days advance warning. This extra time will give those who smoke a chance to adjust their lifestyle to the new policy. Notifications should include the same wording used in the lease.





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- Consider your options. There are many things to consider with a new policy. Will you ban smoking on the entire property grounds, 25 feet from doorways/ entrances/windows or only in the building? If you allow smoking on the grounds, where will those tenants go to smoke? Will you provide a space? What about patios and balconies? Talking with staff, administrators, and tenants can sometimes be helpful when deciding which options are best for the building.

All Buildings

- Consider implications for workers and guests. Remember, smoke-free policies not only impact residents, but their guests and your employees. When you adopt a smoke-free policy, make it clear that all guests, maintenance workers, and staff are prohibited from smoking as well.

Resources

For more detailed information about how to implement a smoke-free policy in your new or existing development, visit any of the below websites.

- Smoke-Free Housing New England
www.smokefreehousingne.org
- Michigan Smoke-Free Apartments
www.mismokefreeapartments.org
- Smoke-Free Housing Coalition of Maine
www.smokefreeforme.org
- Minnesota Smoke-Free Housing
www.mnsmokefreehousing.org
- Tobacco Technical Assistance Consortium
www.ttac.org
- Smoke-Free Apartments Registry
www.smokefreeapartments.org
- Technical Assistance Legal Center
www.phpnet.org/talcgies, LLC