DRAFT

Raleigh Housing Authority
Smoke-free Housing and Building Policy

Raleigh Housing Authority (RHA) is proposing the following:

Purpose:

- Help RHA demonstrate its mission of providing safe, decent and sanitary housing. Additionally, smoke-free policies are increasingly being adopted in the rental housing market.
- Focus on the detrimental effects of smoke without penalizing the smoker. This policy is not intended to force anyone to stop smoking or to move out of public housing, but instead to offer safe, decent and sanitary housing for all populations.
- Protect public housing residents from secondhand smoke. Research suggests there is no safe level of smoke exposure. Movement of secondhand smoke between units cannot be controlled in multifamily buildings.
- Prevent injury and death from smoking-related fires. According to studies conducted by insurance companies, more people die in fires started by smoking materials than in any other type of fire.
- Reduce property maintenance and turnover costs. Turning over a smoking unit can cost more than turning over a smoke-free unit. By lowering cost such as these, RHA is able to efficiently provide housing for its residents.
- Assist smokers to quit. Research indicates that smoke-free policies help smokers quit smoking. Research also conducted, finds smoking is the single greatest avoidable cause of disease and death.
- Comply with federal government regulations. Any housing agency receiving federal funds from the Department of Housing and Urban Development (HUD) must adhere to operation regulations and standards for housing quality.

Definitions:

1. "Smoking" is defined as the carrying or smoking of a lit product or the burning of any substance or material to be inhaled including, but not limited to: cigarettes, cigars hookahs/water pipes, electronic cigarettes, or pipes.
2. "Housing Authority property" means any property owned, leased, or otherwise controlled or operated by RHA, including buildings, other structures and grounds, and vehicles owned or leased by the Housing Authority.
3. "Restricted Areas" means indoor and all areas within a 25 foot perimeter surrounding all RHA buildings owned and operated by the Housing Authority. Areas such as but not limited to: porches, patios, electrical closets, storage units, administration buildings, and in other areas designated by RHA as smoke-free.

******Submit written comments by 5pm 07/28/17******

Policy:

This policy establishes standards and requirements to provide for smoke-free housing and building policy environment for all RHA residential and administrative properties. This policy does not prohibit individual residents from smoking. However, smoking is not permitted anywhere inside restricted areas, and within a 25 foot perimeter outside of any buildings.

1. Effective May 1, 2018, smoking will be prohibited in restricted areas. All current and new residents, guests, employees, contractors and visitors in and/or on RHA property will be prohibited from smoking inside restricted areas as defined in this policy.
2. This policy will not apply until the effective date, at which point it will be incorporated into all residents' lease agreements. Failure of any resident to follow the smoke-free housing and building policy after the effective date will be considered a lease violation.
3. Any cigarette, tobacco or other smoking materials not properly disposed of may be cause for a charge to the residents account for trash removal.
4. Repeated violations of the smoke-free housing and building policy may be considered material noncompliance with lease requirements and may be good cause for lease termination.

Enforcement:

If the smell of smoke is reported, RHA will seek the source of the smoke and appropriate action will be taken. Residents are encouraged to promptly give their Property Manager a written statement of any incident where smoke is migrating into the Resident's rental unit from sources outside of the Resident's home. Any violation of the smoke-free housing and building policy by any resident, resident household member, or guest will be considered a lease violation. The following progressive plan will be enforced:

1st Violation: Verbal/written warning and provide cessation information.

2nd Violation: Written warning and provide cessation information.

3rd Violation: Written warning, conference with Property Manager, and provide cessation information. A nuisance charge may also be applied to the resident's rental account.

4th Violation: Lease Termination subject to RHA's grievance procedure.

Smoking Cessation Assistance:

Smoking cessation resources provided by outside agencies will be made available to residents. RHA staff is not qualified to answer questions and otherwise provide smoking cessation assistance. Staff is only equipped to refer residents to options and opportunities of smoking cessation available in their community.

Disclaimer:

RHA is not acting as a guarantor of this policy. RHA disclaims any implied or express warranties that the building, common areas or resident's premises will have any higher or improved air quality standards than any other rental area or will be free from second or third hand smoke. Residents with respiratory ailments, allergies or any other physical or mental condition relating to smoke are put on notice that RHA does not assume any higher duty of care to enforce this policy than any other RHA obligation under the lease. Failure to enforce any part of this policy does not negate the right of RHA to enforce it in the future.

Resident Certification:

I have read and understand the above smoke-free housing and building policy and I agree to comply fully with the provisions. I understand that failure to comply may constitute reason for termination of my lease agreement.

Resident Signature	**Date**
Resident Signature	**Date**
Resident Signature	**Date**