

Q&A FOR LANDLORDS AND PROPERTY MANAGERS



Why go smokefree?

There are numerous reasons for landlords and property managers to consider smokefree policies. The market for smokefree housing is strong, and surveys indicate that tenants prefer tobacco-free housing. Smokefree units are less expensive to rehab between tenants and can be turned faster than smoking units. Because non-smoking properties are less likely to be destroyed in fires, they may qualify for lower property casualty insurance rates. It not only protects the health of tenants and employees but also is good for business.

How does secondhand smoke affect health?

Secondhand smoke contains a deadly cocktail of more than 7,000 compounds, including poisonous and radioactive substances. It is the third-leading cause of preventable death in the United States, killing approximately 50,000 people per year. Secondhand smoke causes numerous serious illnesses including asthma, sinus infections, ear infections, chronic cough, sudden infant death syndrome, heart disease, heart attacks and many types of cancer.

How does smoking in one rental unit affect the units around it?

Secondhand smoke seeps through hidden openings not obvious to the casual observer. It infiltrates surrounding units through light fixtures, wall outlets, crawl spaces, attics, shared ventilation, cracks in walls, spaces around plumbing, open windows and other areas of the structure. This causes involuntary exposure to tenants in surrounding units.

Are smokefree policies difficult to enforce?

Generally, it takes no additional time or effort to enforce nonsmoking policies. There is no need to patrol or police your property for violations. Instead, allow tenants and employees to report any infractions, and treat each violation as you would any other lease infringement, up to and including termination of the lease.

Are tenants still allowed to smoke outside?

It is up to you to determine what smoking is allowed on your private property. If you do allow smokers to light up outside, it is best to designate areas that are far enough away from buildings to protect tenants from drifting smoke.

Are smokefree policies legal?

There is no such thing as a right to smoke. Smoking is not a protected behavior under any federal, state or local laws. Therefore, a landlord can establish a nonsmoking policy.