

## **Smoke-Free Housing Policy of the Housing Authority of the City of Milwaukee**

**Background:** On December 5, 2016, the U.S. Department of Housing and Urban Development (HUD) adopted regulations that require all public housing authorities to implement a smoke-free housing policy by July 2018.

**Purpose of Non-Smoking Policy:** The purpose of this policy is to help fulfill HACM's obligation to provide a safe and healthy living quarter to all residents, staff and visitors. HACM would like to mitigate (i) the irritation and known health effects of secondhand smoke; (ii) the increased maintenance and cleaning costs from smoking; (iii) the increased risk of fire from smoking; and (iv) the higher costs of fire insurance for a non-smoke-free building.

**Policy:** Due to the increased risk of fire, increased maintenance costs, and the known health effects of secondhand smoke, smoking is prohibited in any area of the property, both private and common, indoors and within 25 feet of the building(s) including entryways, balconies, windows and patios. This policy applies to all owners, residents, guests and service persons. Residents are responsible for ensuring that family members, roommates and guests comply with this rule.

**Rationale:** According to the CDC, "secondhand smoke harms children and adults, and the only way to fully protect nonsmokers is to eliminate smoking in all homes, worksites, and public places. There is no risk-free level of secondhand smoke exposure; even brief exposure can be harmful to health."<sup>1</sup> The American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) has determined that there is "currently no air filtration or other ventilation technology that can completely eliminate all the carcinogenic components in secondhand smoke."<sup>2</sup>

**Effective Date of Policy:** This policy will be effective as of July 1, 2018 for all residents, their guests, and all employees, contractors, business invitees who provide services to any HACM properties.

**Definition of Smoking:** Smoking is defined as inhaling, exhaling, breathing or carrying any lit cigar, cigarette, pipe, waterpipe or hookah, other tobacco products or any form of lighted object or device that contains tobacco and/or marijuana, including but not limited to medical marijuana. Additionally, "smoking" also includes but is not limited to the use an electronic cigarette (e-cig or e-cigarette), a personal vaporizer (PV) or an electronic nicotine delivery system (ENDS).

---

<sup>1</sup> Secondhand Smoke (SHS) Facts. (2017, February 21). Retrieved April 13, 2017, from [https://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/secondhand\\_smoke/general\\_facts/](https://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/general_facts/)

<sup>2</sup> American Society of Heating, Refrigerating and Air Conditioning Engineers

**Non-smoking Area:** Smoking is prohibited in any area of the property, both private and common. Indoor areas where smoking is prohibited include, but are not limited to: resident apartments, hallways, stairways, public bathrooms, rental and administrative offices, community rooms and areas, electrical closets, storage areas, laundry rooms, and lobbies. Smoking is prohibited outdoors within 25 feet of any building, including doorways, entryways, balconies, windows, and patios.

**Management to Promote Non-Smoking Policy:** Management shall post no-smoking signs at entrances and exits and in common areas. Staff will promote policy as appropriate in meetings and discussions with residents and enforce compliance with the policy.

**Properties Included:** All housing developments and scattered site properties owned by HACM that are public housing and/or mixed finance/tax credit developments will follow the smoke-free policy. Other HACM housing developments that are not currently impacted by this smoke-free policy include Berryland, Northlawn and Southlawn.

**Resident Responsibility:** Residents are responsible for the actions of their household, their guests and their visitors, and residents are responsible for informing their guests and visitors that their apartment is smoke-free and that their housing may be affected by violators. Residents are encouraged to promptly notify HACM staff of any incident where smoke is noticeable in prohibited areas on HACM property. Repeated violations to the policy may be cause for lease enforcement actions and even evictions.

**Enforcement Provisions:** Failure of any resident, resident's guests or visitors to follow the smoke-free policy will result in a lease violation. Multiple violations could lead to an eviction.

- 1st warning: Verbal notice from management
- 2nd warning: Written notice from management
- 3rd warning: Written notice and mandatory meeting with management
- 4th warning: Begin eviction proceedings

**Smoke-Free Resources:** If you or a loved one would like to quit smoking, call the Wisconsin Tobacco Quit Line at 1-800-QUIT NOW, for free assistance and a customized quit plan. The Quit Line provides free one-on-one phone counseling and information, local cessation program referrals, and starter packs of quit smoking medications like nicotine gum, patches, and lozenges.

**Policy Distribution:** After adoption of this policy, all current residents of properties covered by this policy will be given a copy of the policy and will be requested to meet with their property manager for the head of household and all adults to sign a Smoke-Free Housing Lease Addendum prior to July 1, 2018. The signed copy of the lease addendum will be placed in the resident's file. New residents will be given a copy of the policy at the time they execute their lease, and will immediately sign a Smoke-Free Housing Lease Addendum.