



## Smoke-Free Policy

The City of Chandler Housing and Redevelopment Division (COCHRD) and the United States Department of Housing and Urban Development (HUD) have become increasingly aware of the ill effects caused by secondhand smoke. These ill effects include but are not limited to (1) health concerns raised by other residents who experience secondhand smoke filtering into adjoining apartments, with resulting increased potential for lung related illnesses and disorders; (2) additional costs for maintenance such as cleaning, painting, replacing blinds and cleaning air conditioning coils; (3) safety concerns resulting from smokers disconnecting the smoke alarms in their units.

In response to these concerns and in order to provide a safe living environment for all Residents, on February 3, 2017, HUD issued a federal rule requiring all Public Housing Authorities implement a smoke-free policy. The COCHRD has adopted the following Policy:

1. Smoking is not permitted anywhere on public housing grounds, to include living units, interior and exterior common areas, outdoor areas, and in or near public housing and administrative office buildings.
2. The term "prohibited tobacco products" is defined as items that involve the ignition and burning of tobacco leaves, such as: cigarettes, cigars, pipes and water pipes (also known as hookahs).
3. The term "electronic delivery device" means any product that can be used to deliver aerosolized or vaporized nicotine, lobelia, or any other substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, or vape pen.
4. The term "interior common areas" include but are not limited to: hallways, rental and administrative offices, community rooms/centers, laundry rooms/centers and similar structures.
5. "Smoke" or "Smoking" means inhaling or exhaling smoke, aerosol, or vapor from any lighted or heated cigar, cigarette, pipe, electronic delivery device, or any other natural or synthetic tobacco or plant product. "Smoke" or "Smoking" also includes burning or possessing any lighted or heated cigar, cigarette, pipe, electronic delivery device, or any other natural or synthetic tobacco or plant product intended for inhalation.
6. The premises to be occupied by Resident and members of Resident's household have been

designated as a smoke-free living environment. Resident, members of Resident's household, and guests shall not smoke anywhere on the premises, including in the unit leased by Resident, interior and exterior common areas utilized by Residents and staff, and in or near the public housing buildings.

7. Residents are responsible for notifying their guests and invitees that the COCHRD has designated the property as a smoke-free property. Residents are responsible for ensuring that their guests and any and all visitors under their control fully comply with this policy.
8. Non-Smoking areas within the property include the following areas:
  - A. All Public Housing residential units.
  - B. All interior common areas.
  - C. All Public Housing grounds and buildings with no exceptions
9. Resident should promptly provide the COCHRD with a written statement of any incident where tobacco smoke is migrating into Resident's unit from sources outside Resident's unit.
10. The COCHRD will post No Smoking signs at entrances and exits, common areas, hallways and in conspicuous places at Public Housing family sites.
11. The COCHRD will take reasonable steps to enforce this Smoke-Free Policy and to make the unit smoke-free. The COCHRD is not required to take steps in response to smoking unless the COCHR knows of a violation of this Smoke-Free Policy or has been provided with written notice of any violation of this Policy.
12. A material breach of this Policy shall be a material breach of the Resident's Lease and the Rules and Regulations and grounds for termination of tenancy through a graduated enforcement approach. The COCHRD graduated enforcement framework will include:
  - A lease amendment identifying the actions that constitutes a policy violation and encourage residents to promptly provide a written statement of any incident where tobacco smoke is migrating into the resident's unit from sources outside the resident's unit.
  - If a determination is made on objective facts supported by written statements, that a tenant is in violation, the COCHRD may serve a written notice of lease violation(s) to the tenant to meet with the housing specialist to discuss the violation(s).
  - Documentation of noncompliance, if there are repeated violations (more than two) or persistent non-responsiveness will constitute a violation of the lease.
  - Eviction proceedings as a last resort.

Section XXIII of Resident's Lease refers to the Smoke-Free Policy restrictions.

13. Resident acknowledges that the COCHRD's adoption of a Smoke-Free living environment and its efforts to designate the unit as Smoke-Free do not make the COCHRD guarantor of

Resident's health or of the smoke-free condition of Resident unit or the common areas. Resident acknowledges that the COCHRD'S adoption of a smoke-free living environment and its efforts to designate the unit as smoke-free do not in any way change the standard of care that the COCHRD has to Resident's household to render units designated as smoke-free any safer, more habitable, or improved in terms of air quality standards than any other rental premises. The COCHRD specifically disclaims any implied or express warranties that the Resident's premises will have any higher or improved air quality standards than any other rental units. The COCHRD cannot and does not warranty or promise that the rental premises will be free from secondhandsmoke.

- 14. Resident acknowledges that the COCHRD'S ability to police, monitor, or enforce the restrictions of this Policy is dependent in significant part on voluntary compliance by Resident and Resident's guests and invitees. Residents with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that the COCHRD does not assume any higher duty of care to enforce this Policy than any other obligation imposed on them under the Lease or Rules and Regulations.
  
- 15. To assist all residents with the Smoke-Free Policy transition and to accommodate resident interest in smoking cessation, the COCHRD is committed to providing resources for cessation education and outreach.

**Please refer to the Lease Addendum and/or your Section X and XXIII of the Lease Agreement for information regarding the Smoke-Free Policy restrictions.**

By signing below, the resident acknowledges receipt of the Smoke-Free Policy.

\_\_\_\_\_  
Head of Household Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Other Adult Household Member Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Other Adult Household Member Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Other Adult Household Member Signature

\_\_\_\_\_  
Date