

# WYOMING HOUSING COMMISSION SMOKE/TOBACCO FREE POLICY and LEASE ADDENDUM

To comply with the Department of Housing and Urban Development's (HUD) PIH Notice #2017-03 requiring that all Public Housing Agencies implement a smoke-free policy, the Wyoming Housing Commission (WHC) has developed the following Smoke/Tobacco Free Policy and Lease Addendum. While it is not the intent of the WHC to take issue with the smoking preferences of individuals, smoking in public is a matter of concern to residents, visitors and employees. The WHC is subject to legislation that controls smoking in public places which took effect May 1, 2010.

This document serves as both the policy information and an addendum to the WHC Public Housing Lease.

## **PURPOSE OF THE SMOKE/TOBACCO FREE POLICY**

1. To improve indoor air quality and mitigate the irritation and known health effects of secondhand smoke.
2. To minimize the maintenance, cleaning and redecorating costs associated with smoking.
3. To decrease the risk of smoking related fires to property and personal safety.

## **PROHIBITED PRODUCTS**

Any smoking item that involves the ignition and/or burning, such as; cigarettes, cigars, pipes, water pipes (also known as hookahs) and Electronic Nicotine Delivery Systems (also known as vaping) are prohibited. Spitting, smoking and chewing of tobacco is prohibited on Public Housing Grounds within this Housing Commission buildings considered "public place or worksites," without exception.

## **NON – SMOKING/TOBACCO AREAS**

Smoking will not be permitted in individual units or the common areas of any building associated with the WHC Public Housing Program unless otherwise specified.

The WHC smoke/tobacco free policy will apply to:

- Westwood Apartments – All units
- Waldon Woods – All units
- Scattered Public Housing – All units
- All Public Housing common areas such as; community room, lobby, hallways, interior or exterior windows, patios, balconies, administrative offices, laundry areas, or similar structures.
- All buildings or vehicles owned by or managed by the Wyoming Housing Commission

## **DESIGNATED SMOKING AREAS**

Smoking is permitted ONLY in outdoor areas 25 or more feet from any Public Housing building or living unit.

## **THOSE AFFECTED BY THE SMOKE/TOBACCO FREE POLICY**

This policy applies to everyone including residents, guests, visitors, service personnel and WHC employees who lives, visits or works at any WHC property. The smoke/tobacco free policy **does not** mean that residents/employees will have to quit smoking in order to live/work within a WHC property. The policy only limits smoking to designated areas.

## **SIGNAGE**

"No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly posted in every building or other area where smoking is prohibited by legislation and HUD regulation.

Every public place where smoking is prohibited shall also have signs conspicuously posted at every entrance stating that smoking is prohibited.

All ashtrays and other smoking paraphernalia shall be removed from any area where smoking is prohibited.

**CESSATION EDUCATION**

To assist residents who wish to quit smoking the WHC will make available brochures on how to quit or they may contact the following phone line: **Michigan Tobacco Quit Line** 1-800-784-8669

**ENFORCEMENT**

The success of this policy is through the cooperation of all residents, visitors and employees for adhering to and enforcing the policy. Residents are responsible for the compliance of their household members and guests.

In all cases, the rights of a nonsmoker, to protect his or her health and comfort, takes precedence over a residents, resident’s guests, visitors or employees right to smoke.

Housing Commission employees shall inform individuals found smoking and/or chewing tobacco that they are in violation of state law and HUD regulation and subject to penalties and or eviction.

Individuals found violating the Policy either through staff witnessing or other tenant’s written complaints, will be allowed a “graduated enforcement” and given no more than 2 documented warnings. These warnings may lead to eviction and loss of any future assistance. The graduated enforcement format is as follows:

- 1<sup>st</sup> Violation      Verbal Warning
- 2<sup>nd</sup> Violation      Written Warning and Cessation Materials
- 3<sup>rd</sup> Violation      Tenant Conference and Written Warning
- 4<sup>th</sup> Violation      Eviction Letter

If applicable, violators are also subject to a civil fine of up to \$100 for the first offense and not more than \$500 for second or more offenses.

The WHC will follow all policy rules in regard to any eviction or termination regulations, including informal settlement or hearings allowed to the tenant.

**COMPLIANCE MONITORING**

*Increased Inspection Frequency* - Upon issuance of a written warning from the WHC and/or a documented complaint, the WHC may increase the frequency of unit inspections for a suspected policy violator. If the inspection produces any evidence of smoking, such as a lit cigarette or ashes in an ashtray, the tenant will be charged with a subsequent violation.

**TENANT CERTIFICATION**

I have read and understand the above smoke/tobacco free policy and lease addendum, I agree to comply fully with the provisions. I understand that failure to comply may constitute reasons for termination of my lease.

Resident Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Resident Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Resident Signature: \_\_\_\_\_ Date: \_\_\_\_\_

WHC Staff: \_\_\_\_\_ Date: \_\_\_\_\_