GUIDANCE FOR HOUSING AUTHORITIES
CONSIDERING IMPLEMENTATION OF
A NO SMOKING POLICY

A special thank you to:
Washington State Department of Health Grant

Produced by the Tobacco Cessation Network:
Foundation for Healthy Generations
Association of Washington Housing Authorities
Pacific Northwest Regional Council of NAHRO
July 1, 2010
TABLE OF CONTENTS

Introduction & Statement of Purpose ........................................ 2
No Smoking Policy Plan Template .......................................... 3
No Smoking Policy Work Plan .................................................. 4
No Smoking Policy Talking Points ......................................... 7

For more information, please contact:
Julie Peterson, Senior Director of Policy, Foundation for Healthy Generations
Phone 206.832.1898 | Email juliep@healthygen.org
NO SMOKING POLICY PLAN OPTIONS & TALKING POINTS FOR HOUSING AUTHORITIES

The following are examples of policy options that may be selected in a variety of combinations by housing authorities as they seek to limit or prohibit smoking in or near their affordable housing rental properties.

The ____________________________ Housing Authority is considering implementing a no smoking policy for a number of reasons, including the need to:

- provide a healthy living environment for tenants, staff, and guests that is free from secondhand and thirdhand smoke
- eliminate the risk of fires from smoking materials
- reduce maintenance and renovation costs in residential units and common spaces caused by the residual from smoking

The ____________________________ Housing Authority also recognizes that those of its tenants who currently smoke in their units may include elderly, disabled, and otherwise frail individuals who cannot easily go 25 feet or more from the building entrance to smoke. For that reason, the Housing Authority has allowed ______(specify amount of time given)______ notice to permit tenants to exercise choice in finding housing alternatives.

These alternatives may include relocation to another Housing Authority property where smoking is permitted, moving away from the Housing Authority altogether, pursuing a smoking cessation option, or choosing to smoke away from the building in a designated smoking area (if provided by the Housing Authority).
NO SMOKING POLICY OPTIONS

Because of all of the inherent risks of smoking in or near residential properties (particularly multi-family properties), the Housing Authority has decided to adopt a policy that effectively:

☐ Prohibits smoking in all of its units and within 25 feet of buildings or on any Housing Authority property as of _______ (effective date) _______. New developments for which construction started after _______ (date) _______ will be smoke free (no smoking on the premises during construction or thereafter once occupancy occurs).

☐ Prohibits smoking only in all new developments for which construction started after _______ (date) _______ (no smoking on the premises during construction or thereafter once occupancy occurs).

☐ Prohibits tenants who lease units in one or more specifically identified properties (list) _______ on or after _______ (effective date) _______ from smoking in their units. Current tenants living in those properties who smoke may be required to relocate via transfers or use of Section 8 Housing Choice Vouchers or may be “grandfathered” and allowed to continue smoking in their units. “Grandfathered” tenants may be subject to a lease addendum that requires payment of an additional security deposit of $________.

☐ Prohibits smoking in one or more specifically identified properties (list) _______ as of _______ (effective date) _______. Tenants living in those properties who smoke will be required to relocate via transfers or use of Section 8 Housing Choice Vouchers (or no transfer options are to be offered). The following properties (list) _______ will become no smoking according to a subsequent schedule to be announced at a later date.

☐ Prohibits all Housing Authority staff from smoking on any Housing Authority property including grounds, units, offices and non-residential buildings, common areas, vehicles, etc. effective _______.

☐ Offers support for its no smoking/smoke-free policy by entering into collaborative partnerships with local public health and non-profit organizations that can provide resources and assistance to tenants and staff who may chose to quit smoking.

☐ Other options may be used as are deemed appropriate by the individual Housing Authority and at its discretion.
# HOUSING AUTHORITY NO SMOKING POLICY WORK PLAN

<table>
<thead>
<tr>
<th>SCHEDULED DATE</th>
<th>WORK OBJECTIVE</th>
<th>WORK TASK</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>(to be completed by the individual Housing Authority)</td>
<td>Discuss the idea of a no smoking policy with staff and Board of Commissioners</td>
<td>Use talking points (attached below) to educate stakeholders about the need for a no smoking policy</td>
<td>Local public health department, university, or other non-profit group may be able to assist with the various aspects of a survey. Use of such a “third party” may be effective by lending greater validity and impartiality to a survey.</td>
</tr>
<tr>
<td></td>
<td>Conduct agency-, program-, or property-wide survey(s) to determine extent of smoking practices</td>
<td>Collect and analyze information from the survey (use the survey template in the HEALTHY GEN toolkit or work with a local partner to develop a survey)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Number of smokers vs. non-smokers</td>
<td>Collect and analyze data re: maintenance costs of smoking unit renovations in the past 12 months, fires due to smoking in the past 5 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Number of residents with health problems aggravated by 2nd hand smoke</td>
<td>Analyze (Share?) results of survey and research with stakeholders (Board, staff, tenants) to solicit feedback, record comments, further analyze, and use to create policy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Number of smokers who would like to quit</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Number of residents who would like to see a smoking ban</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Draft no smoking policy for consideration | Create a policy development/implementation committee (staff, residents, public health, other) to work on policy components and provide input

Staff drafts proposed policy and implementation plan and timeline with assistance of committee

The proposed plan is reviewed with agency leadership, staff, and residents (stakeholders in general) | See HUD Notice PIH-2009-21 (HA) issued July 17, 2009 “Non-Smoking Policies in Public Housing” |
|---|---|---|
| Board adopts no smoking policy based on staff recommendations and stakeholder input | Preliminary no smoking policy is proposed to the Board of Commissioners

The Board then decides if they would like to receive input from stakeholders over several meetings prior to a final vote of the policy

If so, revisions to the policy are incorporated |  |
| No smoking policy implementation | 1. Update the housing authority's PHA Plan relative to rules and standards that will apply to those properties where no smoking will be allowed

2. Notice to affected residents (4-6 months prior to effective date)

3. Begin signing lease addendums (3-4 months prior to effective date) |  |
4. Meet with public health partners to schedule meetings at affected properties to make “quit” resources available (ongoing support groups, promotional items, etc.)

5. Collect data to show results

6. Provide resources to staff who smoke, especially live-in managers

7. Send additional courtesy notices (30-60 days prior to effective date)

8. Effective date: implement, enforce consistently in all projects and buildings where no smoking policies apply

9. “Remedial” meetings

10. Signage (This is a no smoking building effective ________)

11. Violations may be reported to ________________.

12. Report to stakeholders on progress at 3, 6, and 12 months

13. Provide certificates of recognition to smokers who quit (tenants and staff)

14. Other steps as desired...
NO SMOKING POLICY TALKING POINTS

The purpose of this paper is to outline specific talking points that explain why housing authorities (or any other rental property manager) should implement a no smoking policy.

GENERAL FACTS

✓ A two pack a day smoker will spend over $5,000 per year on tobacco (particularly relevant for low-income residents who often give up necessities for tobacco). To discourage smoking and create State revenue, State governments are frequently raising tobacco taxes.

HEALTH-RELATED ISSUES

Health-related issues for those in substance abuse treatment

✓ An analysis of 18 studies found that when tobacco addiction was addressed, alcohol and other substance abuse outcomes were 25 percent more successful.
✓ Tobacco-related illness is the leading cause of death for those in recovery.
✓ Smokers with mental illness have a life span 25 years shorter than the general population (twice the cardiovascular disease and respiratory disease and three times the incidence of cancer).
✓ Smoking represents a significant barrier to successful integration into the larger community, especially in the areas of housing and jobs.
✓ Clients in treatment report that smoking lessens stress, yet
  o research shows that stress levels of adult smokers are higher than those of non-smokers.
  o adolescent smokers report increasing levels of stress as they develop regular patterns of smoking.
  o research proves that smoking cessation leads to reduced stress.
  o research proves that tobacco actually increases stress.

Secondhand (and thirdhand) smoke

✓ In multi-family properties especially, HVAC systems guarantee that the secondhand smoke from tenants smoking in their own units will spread and **not** be confined to those units.
Secondhand smoke lingers in the air for hours after cigarettes have been extinguished and migrates between units in multi-family buildings.

Secondhand (and now thirdhand) smoke has been shown to present serious health risks to those who come in contact with it (deaths in adult non-smokers are estimated at nearly 50,000 per year – these include lung cancer and heart disease).

Secondhand smoke exposure causes disease and premature death in children.

Smoking-caused odors are highly objectionable and reduce the quality of life for those who do not smoke and are forced to be in contact with those odors in their living environments.

Housing authority employees and employees of in-home service providers who must enter smokers’ units to perform their work duties are subjected to both secondhand smoke in the air and thirdhand smoke on surfaces, both of which are toxic and hazardous to health. Housing authorities and other employers are obligated to provide a safe working environment for employees and that is highly improbable in a unit occupied by a smoker.

**Vulnerable tenants/neighbors**

Housing authorities house a range of clients, many of whom are frail elderly and disabled persons, who have few, if any, choices about where they live due to their inability to compete in the private rental market.

Many housing authority tenants have acute/chronic medical problems which are exacerbated by the presence of secondhand smoke.

**Fire/life safety**

The U.S. Fire Administration estimates that there were 18,700 smoking-related fires in homes in 2006. These fires resulted in 700 deaths (not including firefighters) and 1,320 injuries.

Smoking-related fires are frequently the cause of injury or death to both smokers and other tenants; in 2005 26 percent of deaths in multi-family buildings were caused by smoking.

In mid-February 2010, a tenant in his 70’s, who used oxygen and smoked, was killed when his apartment burned. Damage to the Seattle Housing Authority property was estimated at between $250,000 – $300,000. Although the fire was contained in the victim’s apartment, smoke and water damage displaced 11 other tenants from the 129 unit concrete building until repairs could be completed.
PROPERTY-RELATED ISSUES

Marketing rental units

- In Washington, there is a clear market demand for smoke-free housing. Surveys of renters show more than 80 percent of all renters prefer smoke-free housing. More than half of smoking renters prefer smoke-free housing.
- Guardian Property Management (a private sector firm) implemented a no smoking policy in their apartments and reported that 43 percent of tenants reported smoking less tobacco since the policy was implemented. Nearly half of those who smoke reported making an attempt to stop smoking since implementation. Two-thirds of those cited the policy as part of, or the main reason for, their attempt to quit smoking.

Risk management (insurance costs)

- Smoking is not the only cause of residential fires, but it ranks high on the list.
- In 2006, smoking-related fires caused $496 million in direct property damage.
- Eliminating smoking on the premises of any multi-family property will necessarily reduce the likelihood of fires that can cause injury, death, and property damage. When this happens, insurers acknowledge the reduced risk and insurance premiums are reduced, resulting in savings to the property owner.
- In 2009, a smoker on the balcony of a multi-family, multi-story property owned by the Vancouver Housing Authority, discarded a cigarette in a planter box containing bark. The resulting fire did not cause any deaths, but damage to the building was approximately $1.1 million.

Deterioration of rental housing property and renovation costs

- Rental units vacated by tenants who smoke require extraordinary maintenance and renovation efforts to prepare for the next tenant (who may be a non-smoker).
- Surfaces (walls, cabinets, flooring, carpets, blinds/shades, countertops) must be thoroughly cleaned and often sealed or replaced entirely to remove the residual smoke odor. Extra painting is required.
- Fabric-style draperies may not be cleanable and may need total replacement.
- Fixtures and appliances must also be given extraordinary attention.
- Costs for renovating a unit occupied by a smoker may result in three to ten times the costs for a non-smoking unit depending on how long the unit was occupied by a smoker.
INDIVIDUAL RIGHTS ISSUES

Smokers are not a protected class

✓ Fair housing protections do not apply to smokers.
✓ Smokers do not have a right to smoke in rental properties that they lease if the property owner chooses to impose (with proper notice and reasonable rules) a no smoking policy.
✓ Frequently, mental health and chemical dependency treatment personnel will ignore a client’s addiction to tobacco “for the sake of dealing with their more critical issues.” Current methodology is changing and no longer ignores addiction to tobacco because it makes treatment of those other critical issues less effective in terms of therapy and medications.
✓ While a client with serious mental health and chemical dependency issues may be challenging for treatment personnel, ignoring the use of tobacco will seriously shorten the client’s lifespan.

It’s not about not smoking, it’s about not smoking here

✓ As property owners and managers, housing authorities have the right to impose reasonable policies for the protection of other tenants and of their properties.
✓ Smoking poses a tremendous danger to both tenants and property in both the short term and long term.
✓ Maintenance and renovation expenses can be significantly reduced in properties where smoking is not allowed either in common areas or in individual living units.
✓ There are at least 112 housing authorities and commissioners in the United States that have implemented non-smoking policies.
✓ The U.S. Department of Housing & Urban Development, for the reasons stated above, strongly encourages housing authorities to implement non-smoking policies in some or all of their public housing units. See PIH-2009-21 (HA) July 17, 2009.
✓ Implementation of a no smoking policy by a housing authority is not telling a tenant that they must stop smoking, rather, it is a policy that says the tenant may not smoke on the housing authority’s property. Smoking “off-campus” is at the discretion of the tenant who chooses to do so.