**Reasons to Explore Smoke-Free Housing\***

**Why pursue smoke-free housing?**

* If you are interested in a policy that can help you save money, reduce tenant complaints; improve the health of your tenants, visitors and people that work in your building this is a policy change to consider.
* Smoke-free apartment policies are quickly becoming the standard for multi-unit housing in the U.S.
* Going smoke-free in your multi-unit building is one of the best moves you can make for your tenants and your bottom line.

**Reduce operating costs[[1]](#endnote-1)**

* Smoking is the leading cause of residential fire and the number one cause of fire deaths in the U.S.
* Research suggests that smoke-free units may have increased rental and re-sale value.
* Apartment turnover costs can be much greater when smoking is allowed, compared to the cost of maintaining and turning over a smoke-free unit.
* Apartments where smoking is allowed could involve extensive cleaning, additional paint to cover smoke stains, replacing stained window blinds, or replacing carpets that have been damaged by cigarettes.
* Implementing a smoke free policy can reduce insurance costs. After implementation, contact your insurance company and inquire about discretionary credits.

The following table compares the cost to rehabilitate a unit where smokingis prohibited versus a unit where smoking is allowed:

 **Non-Smoking Light Smoking Heavy Smoking**

**General Cleaning** **$240 $500 $720**

**Paint $170 $225 $480**

**Flooring $50 $950 $1,425**

**Appliances $60 $75 $490**

**Bathroom $40 $60 $400**

**Total** **$560 $1,810 $3,515**

*Data reflects surveys from housing authorities and subsidized housing facilities in New England. Collected and reported by Smoke-Free Housing New England, 2009***.**

\*The "Reasons to Explore Smoke-Free Housing" section was adopted in part from the article "Reasons To Explore Smoke-Free Housing" by the National Center for Healthy Housing, Early Fall 2009.

**Reasons to Explore Smoke-Free Housing (con't)**

**Smoke-free policies are legal**

* Landlords have the legal right to ban smoking in the buildings similar to place a ban on pets. There is no Federal or State law that prohibits a property owner from implementing a smoke-free policy for their buildings or grounds.
* Instituting a policy does not prevent someone who smokes from living in the building. It simply requires that all tenants abide by the policy while on the property.
* The Smoke-Free Environments Law Project conducted an analysis of federal and state laws, HUD rules, and legal cases and found that a ban on smoking for new tenants who move into public or section 8 housing is permissible in all 50 states.

**Smoke-free policies can help avoid lawsuits**

* Landlords, management companies, condominium associations, co-op owners, and smokers may be liable legally and financially for failing to prohibit smoking when secondhand smoke affects other tenants.
* Residents can file lawsuits over secondhand smoke. Claims may cite nuisance, warranty of habitability, or the covenant of quiet enjoyment.
* Residents with pre-existing conditions, such as asthma or other respiratory illnesses, can file claims under disability laws, such as the Fair Housing Act.
* Staff and maintenance workers who are exposed to secondhand smoke may sue as well. Staff are at risk for exposure to secondhand smoke as a part of their workday.
* Most states have smoke-free workplace laws. Allowing smoking in building common areas in areas with smoke free workplace laws can be illegal.

**Tenants prefer smoke-free housing**

* Surveys in several states have demonstrated that as many as 78% of tenants, including smokers, would choose to live in a smoke-free building if possible.
* Secondhand smoke complaints and requests for unit transfers drop following the implementation of a smoke-free policy.
* Nationwide, less than 21% of the general population smokes, so it makes sense that a vast majority of tenants want to live in a smoke-free environment.

**Protect the health and safety of residents and staff**

* There is NO risk-free level of exposure to secondhand smoke and the EPA has identified secondhand smoke as a Class A carcinogen, the most toxic class of chemicals that are known to cause cancer in humans.
* Secondhand smoke is a leading trigger of asthma attacks and other respiratory problems, and a known cause of Sudden infant Death Syndrome (SIDS).
* Ventilation systems do not protect families from secondhand smoke. Most air filter systems are designed to remove odors, not toxic particles from tobacco smoke.
1. "Reasons To Explore Smoke-Free Housing" by the National Center for Healthy Housing, Early Fall 2009. [↑](#endnote-ref-1)