

**BROOKLINE HOUSING AUTHORITY
SMOKE-FREE HOUSING POLICY**

May 21, 2013

Purpose: The purpose of the Smoke-Free Housing policy is to mitigate the known health effects of second-hand smoke in Brookline Housing Authority (BHA) buildings. In addition, it is intended to decrease maintenance costs and decrease risk of fire in BHA units.

Transition Period: There will be a twelve month transition period following the adoption of this Smoke-Free Housing policy and before the Non-Smoking Buildings restrictions are enacted. During this transition period, the BHA will hold a series of meetings to provide residents with information regarding the benefits of a Smoke-Free Housing policy and to discuss how the policy will be implemented. Also during this transition period, the BHA will actively promote Brookline Health Department sponsored no-cost smoking cessation opportunities to all BHA residents who are interested.

Definition of Smoking: the term “smoking” means inhaling, exhaling, breathing or carrying any lighted cigarette, cigar, pipe or other tobacco product, as well as marijuana or any other similar lighted product in any manner or any form.

Non-Smoking Buildings: All buildings on BHA property are Non-Smoking Buildings. Smoking is prohibited in Non-Smoking Buildings by residents and their guests and all others within the buildings, and within a twenty foot perimeter outside of the buildings. There will not be any “designated smoking areas” on BHA property. Note: the BHA has no jurisdiction regarding smoking on public ways abutting BHA property. Residents that live in Non-Smoking Buildings agree to and acknowledge the Smoke-Free Housing Policy when they sign their lease. Violating the policy (by smoking in a Non-Smoking Building or within a twenty foot perimeter outside of a Non-Smoking Building) will constitute a lease violation. The preference is to educate and to encourage compliance.

BHA to Promote Smoke-Free Housing Policy: The BHA shall post no-smoking signs at entrances to all Non-Smoking Buildings and promote the Smoke-Free Housing Policy as appropriate in meetings and discussions with residents.

Residents to Promote Smoke-Free Housing Policy: Residents shall be expected to inform their guests and occupants of the Smoke-Free Housing Policy.

BHA Not a Guarantor of Resident Health: The Smoke-Free Housing Policy does not make the BHA a guarantor of resident health or of the smoke-free condition of the resident’s unit or common areas or building grounds. However, the BHA shall take reasonable steps to enforce the non-smoking policy. The preference of the BHA is to educate and to encourage compliance.

Disclaimer by the BHA: Residents and household members shall acknowledge that the BHA's adoption of a Smoke-Free Housing policy and the efforts to designate the premises as smoke-free does not in any way change the standard of care that the BHA would have to the household to render buildings and premises any safer or more habitable or improved in terms of air quality standards than any other rental property. The BHA cannot and does not warranty or promise that the rental premises or common areas will be free from second-hand smoke. The residents and household members shall acknowledge that the BHA's ability to police, monitor or enforce the agreements of the Smoke-Free Housing addendum is dependent in significant part on voluntary compliance by residents and residents' guests. Residents with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that the BHA does not assume any higher duty of care to enforce the non-smoking policy than any other BHA responsibility under the lease.

Policy Review: On the one year anniversary of the enactment of the Smoke-Free Housing restrictions, BHA staff will report to the BHA Commissioners as to the effectiveness of this policy. The Commissioners shall have the opportunity to review and revise the policy following receipt of the staff report.