

MAKE YOUR VERMONT PROPERTY SMOKE- AND VAPE-FREE

SMOKE- AND VAPE-FREE HOUSING TOOLKIT

*A Property Owner, Landlord and Property Manager's Easy Guide
to Policy Creation, Implementation and Enforcement*



**YOU CAN QUIT.
WE CAN HELP.**

**VERMONT DEPARTMENT OF HEALTH
1-800-QUIT-NOW | 802quits.org**



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THE FACTS ARE CLEAR

EXPLORE THE REASONS FOR MAKING YOUR PROPERTIES GO SMOKE- AND VAPE-FREE



Clean indoor air housing policies are centered on the dangers of smoke, vape emissions, and secondhand and thirdhand smoke – not people who smoke or vape.

LEGAL FACTS

- People who smoke or vape are not a protected class under the Fair Housing Act.
- Federal laws require smoke- and vape-free public housing.
- Vermont supports every landlord's right to create a smoke- and vape-free environment.
- Going smoke- and vape-free can limit the property owner's legal liability.
- Residents can pursue legal action if they have a health problem worsened by exposure to secondhand smoke or vape emissions.
- Landlords may ban possession or use of cannabis or cannabis cultivation in [lease agreements](#).

KNOW YOUR FACTS:

There is no state or federal constitutional right to smoke and/or vape.

HEALTH FACTS

- There's no safe level of exposure to secondhand smoke or vape emissions.
- Adults, children and pets can experience harm from secondhand smoke or vape emissions.
- Secondhand smoke causes heart disease, stroke, cancer, and lung diseases in adults.
- Secondhand smoke causes and worsens asthma attacks in adults and kids.
- Secondhand smoke is linked to Sudden Unexplained Infant Death Syndrome.
- Vape emissions are toxic, exposing non-users to potential cancer-causing chemicals.
- Vape emissions may cause an increase of asthma attacks.
- Vape emissions may reduce immune system function.
- Both cigarette or cigar smoke and vape emissions cause thirdhand smoke.
- Thirdhand smoke is a potential health hazard to people, especially children and infants.

KNOW YOUR FACTS:

Thirdhand smoke/emissions are the residual toxins that stay in the sheetrock, carpets, furniture, toys and clothing.

SAFETY FACTS

- Smoking is a leading cause of fires resulting in a fatality.
- Some vaping devices and batteries have been known to cause fires or explode, causing serious injury and property damage.

KNOW YOUR FACTS:

For tips to avoid vape fires, visit the [FDA.gov website](https://www.fda.gov).

COST FACTS

- Smoke- and vape-free properties require less maintenance.
- Smoke- and vape-free properties are less expensive to turn over between tenants.
- Thirdhand smoke and vape emission residues can last six months after a resident quits smoking or vaping.
- Thirdhand smoke and vape emission residues require expensive specialty cleaning, repainting and carpet and furniture replacement.

KNOW YOUR FACTS:

78% of tenants, including people who smoke, prefer a smoke- and vape-free property.

WHAT'S YOUR PROPERTY TYPE?

LET'S START THERE



Making your property smoke- and vape-free starts with understanding the rules you need to follow based on the type of property.

MARKET RATE MULTIFAMILY HOUSING

Simply write the smoke- and vape-free policy into the lease when:

- You're renting a unit to a new tenant.
- You're renewing an existing tenant's lease.
- You're in the middle of an existing lease term only if the tenant agrees.

PUBLIC HOUSING AUTHORITIES (PHAs)

The U.S. Department of Housing and Urban Development (HUD) encourages all property owners and managers to voluntarily go smoke- and vape-free. HUD requires PHAs to have a smoke- and vape-free policy. This [rule](#) applies to public housing units, including scattered and single-family properties. This rule does not apply to:

- Dwelling units in mixed-finance projects.
- Section 8 housing.
- Properties converted to project-based rental assistance contracts under the Rental Assistance Demonstration Program.
- Tribal housing.

SECTION 8 VOUCHER PROGRAM

Properties participating in the voucher program must follow state and local legal requirements for amending a lease to include a clean indoor air policy. Just like with market rate housing, you can add your clean indoor air policy to the lease when:

- You rent a unit to a new tenant.
- You renew an existing tenant's lease.
- You're in the middle of an existing lease term only if the tenant agrees.

MONTH-TO-MONTH LEASES

If you have a property with a month-to-month agreement, you can add a smoke- and vape-free policy that takes effect 30 or more days after you provide notice to all residents.

BUILDING A SMOKE- AND VAPE-FREE ACTION PLAN

STEPS FOR SUCCESS



Take these simple steps to create, implement and enforce a smoke- and vape-free action plan that works for you and your residents.

1 TALK WITH RESIDENTS

- Involve residents from the start to help them feel positive.
- Know the rules & be ready to answer questions.
- Educate residents about the dangers of secondhand smoke.
- Survey residents.

[See sample survey questions](#)

2 DRAFT A POLICY

- Develop the rules.
- State who's affected by the rules.
- Clarify rule enforcement.
- Clearly identify smoke- and vape-free areas with visible signage.

3 SET A TIMELINE FOR CHANGE

Give residents plenty of notice to:

- Ask questions.
- Share concerns.
- Prepare for changes.
- Get early buy-in from building managers and staff.

[See sample timelines](#)

4 HELP RESIDENTS UNDERSTAND THE BENEFITS

- Share how smoke- and vape-free properties support better health for all.
- Share how smoke- and vape-free properties support safety for all.

5 PROMOTE YOUR SMOKE- AND VAPE-FREE POLICY

- Post notices of policy changes in public places.
- Update website and advertising to include smoke- and vape-free in property description.
- Update Health Department Tobacco Control Program and be added to a database of smoke- and vape-free properties. Email us at AHS.VDHHPDPTobaccoVT@vermont.gov
- Provide resources to help support residents who may want to quit smoking, vaping or using other tobacco products.

[See resources to quit smoking, vaping or using tobacco products](#)

6 IMPLEMENT AND ENFORCE

- Add the policy to all leases.
- Post flyers and signage in common areas.
- Send notices to each unit.
- Communicate enforcement policy with residents.

[See sample lease addenda](#)

1 TALK WITH RESIDENTS



To understand what might work best for your property, start by talking with the people who live there. Taking a survey can help you gather ideas and help residents feel involved and positive about the changes.

SAMPLE SURVEY QUESTIONS

- Do you have experiences with smoking, vaping, secondhand or thirdhand exposure on this property you'd like to share?
- If you or someone in your household smokes or vapes, is it allowed inside your home?
- Do you allow guests to use tobacco or nicotine products in your home?

The survey is a tool that can help determine what areas you'll need to cover in your policy.
[See sample surveys.](#)



BE SURE TO CLEARLY DEFINE YOUR POLICY RULES:

1. WHAT DO YOU MEAN BY “SMOKE- AND VAPE-FREE”?

Keep the definition of smoking and vaping comprehensive, specific and inclusive of all devices to write a policy that is clear, effective and easily enforceable. For PHAs covered by the HUD rule, prohibited tobacco products include water pipes (also called hookahs) and any items that involve burning tobacco leaves (like cigarettes, cigars and pipes).

The HUD rule doesn't currently apply to e-cigarettes and other electronic smoking devices, however, these harmful products can be included in your policy for any type of property. To include these, define smoking as “inhaling, exhaling, breathing or carrying any lighted or heated cigar, cigarette or other tobacco product or similar lighted or heated product in any manner or in any form”.

2. WHAT AREAS WILL BE SMOKE- AND VAPE-FREE?

Clearly identify areas with easily visible signs. Depending on the type of property, they may include:

- **Individual Living Units:** PHAs covered under the HUD rule must make all individual living units smoke- and vape-free. It's a good idea to do this for all buildings to help keep smoke from drifting between units.
- **Common Areas:** At PHAs and in Vermont, all common areas must be always smoke- and vape-free. This includes any area where residents gather like hallways, laundry rooms, underground garages, rental offices, building entrances, exercise rooms, indoor swimming pool areas and party rooms.
- **Outdoor Areas:** PHAs covered under the HUD rule must prohibit the use of prohibited tobacco products in outdoor areas within 25 feet of any housing or administrative buildings or to the PHA's property boundary if less than 25 feet. These include outdoor living areas like balconies, decks, porches and patios.

For any type of property, you can create smoke- and vape-free outdoor spaces (like playgrounds), limit smoking and vaping to designated areas only, or make your whole property smoke- and vape-free. This can help keep smoke and vape emissions from drifting inside through windows and doors and can reduce tobacco and device litter.

3. SHOULD I DESIGNATE SMOKING AND VAPING AREAS?

If you choose to provide a designated smoking/vaping area, make sure to comply with the Americans with Disabilities Act (ADA) rules for access.

4. WHO WILL THESE RULES APPLY TO?

Make sure to clearly state that your smoke- and vape-free policy applies to all:

- Residents
- Staff members
- Guests
- Outside vendors (including but not limited to maintenance, repair, delivery, sales or home health professionals)

Be clear that people who smoke or vape are still welcome to live here. They simply cannot smoke or vape in the specified areas. The purpose of a smoke- and vape-free building is to provide a cleaner, safer, healthier living environment for all residents, including people who smoke or vape and their families.

5. WHEN WILL THE POLICY GO INTO EFFECT?

Determine when the rule will become effective and include the date or time frame in the policy. Remember different property types have different legal rules for effective dates.

[See the sample timelines](#) to make sure you're following all laws that apply to your property.

6. HOW WILL THE POLICY BE ENFORCED?

Include language in the policy that clearly states:

- Who will make sure residents follow the rules.
- What happens if someone breaks the rules.

Include a glossary to define terms so residents can clearly understand the policy and you can easily enforce the policy. Example terms include:

- **Breach of lease:** When a renter or property owner breaks a rule and violates rental agreement.
- **Building:** Usually refers to the physical housing structure.
- **Eviction:** A court/legal process to remove a resident or recover possession of real property.
- **Federal Housing Act of 1968:** "The Fair Housing Act provides equal opportunities for people in the housing market regardless of disability, race, color, sex, religion, familial status or national origin, regardless of whether the housing is publicly funded or not."
- **Grandfathering:** An old rule (e.g. being allowed to smoke/vape) continues to apply for current renters while a new rule (e.g. no smoking/vaping) applies for new renters.
- **House rules:** Documents that some property owners, particularly for subsidized buildings, use in addition to a lease to outline the rules and regulations of the building. Typically, the lease itself states that all house rules must be adhered to but does not explicitly list the rules in the lease. Instead, the rules are listed in a separate document. House rules are just as enforceable as a lease.
- **Notification:** The legal length of time necessary before a manager can change a resident's lease.
- **Nuisance:** A condition or situation (such as loud noise or foul odor) that interferes with the use or enjoyment of property.
- **Property.** Refers to the apartment community's buildings and outdoor spaces. Properties may be made up of multiple buildings. This can also be referred to as an "apartment complex."



To make the smoke- and vape-free policy legal, enforceable and successful, give all residents enough time to ask questions, share concerns, prepare to make changes in their homes, and even quit using tobacco products if they choose.

Be willing to set up meetings with residents to talk about why the property is going smoke- and vape-free, and what that will mean for them. Be ready to answer questions like:

- What will change with the new policy?
- Will there be designated smoking/vaping areas?
- What happens if a resident breaks the rules?

Notify all guests, staff, vendors and professionals who visit the property that a new smoke- and vape-free policy will be going into effect, and the policy will include them. Notifications should include:

- Outside maintenance staff or cleaning crews.
- Delivery personnel (Amazon delivery, U.S.P.S. or Meals on Wheels).
- Health care workers (Home health groups, visiting nurses or social workers).
- Religious groups that may visit residents.

While the Vermont Department of Health does not enforce housing policies, they are able to assist with any steps in the clean indoor air policy process and can be emailed at AHS.VDHHDPDTobaccoVT@vermont.gov

[See sample timelines](#) to get started.

RECOMMENDED TIMELINE



DAYS 1-30: SURVEY RESIDENTS

- Survey residents about their exposure with secondhand and thirdhand smoke or vape emissions on the property as well as their interest in living in a smoke- and vape-free building or complex. [See Sample Survey](#)
- Email the Health Department Tobacco Control Program to discuss the results and get guidance on policy options at AHS.VDHPDPTobaccoVT@vermont.gov

DAYS 31-60: DRAFT THE POLICY

- Decide what to include in the policy. [View Sample Lease Addenda](#)
- Have your legal representative review the policy to make sure it covers everything and fits all your property needs.

DAYS 61-90: NOTIFY RESIDENTS

- Include the smoke- and vape-free policy in all new leases. Require all new residents to sign a lease addendum with the new smoke- and vape-free policy. [View Sample Lease Addenda](#)
- Notify existing residents of the new policy through letters and flyers. Clearly state the policy's effective date in these notices.
- For PHAs: Mail the draft policy or deliver it in person to each resident. Post it in at least three easily visible places, including a central business location.
- Give residents at least 30 days to review or comment on the policy and consider all comments to make the policy effective. Update your local plan and provide a 45-day comment period. Hold a hearing to discuss plan changes and consider recommendations of the public housing Resident Advisory Board.
- Provide local resources to help support any residents who may wish to quit smoking or vaping. [Find 802Quits Tobacco Treatment Resources](#)

DAYS 91-120: SIGN ON EXISTING RESIDENTS TO POLICY

- Invite your local community coalition or Tobacco Control Program staff to talk with residents about the policy change.
- Send a reminder notice to residents.
- Ask current residents to sign the lease addendum by the first day of the month in which the policy will go into effect.
- Print smoke- and vape-free posters to put up around your property.
- Order smoke- and vape-free signs to reinforce the policy and its benefits to residents. [See Signage Order Form](#)

DAYS 121-150: POLICY GOES INTO EFFECT

- Post smoke- and vape-free signs around your property.
- List the building as smoke- and vape-free in any web listings, advertisements or rental publications. Be sure to call out clean indoor air amenities.
- Host a smoke- and vape-free celebration for residents. The event can include information about resources to help residents who want to quit using tobacco.

[Find 802Quits Tobacco Treatment Resources](#)

DAYS 151-365: BUILDING BECOMES COMPLETELY SMOKE- AND VAPE-FREE

- Ask residents to sign the smoke- and vape-free lease addendum when they renew leases.
- Assess how many residents still need to sign the lease addendum. If residents voluntarily signed it early, then the building will be smoke- and vape-free sooner than expected.
- Make sure all residents are renting under the smoke- and vape-free policy by the end of the specified month.

HELP RESIDENTS UNDERSTAND THE BENEFITS



There are many reasons to go smoke- and vape-free with your properties. It's important to share your reasons with those affected by your smoke- and vape-free policy. When sharing reasons with residents and staff, remember to focus on the facts and the benefits:

IT'S THE LAW

- Federal laws require smoke- and vape-free public housing.
- There is no state or federal constitutional right to smoke and/or vape.
- Landlords may ban possession or use of cannabis or cannabis cultivation in [lease agreements](#).

IT'S HEALTHIER FOR EVERYONE

- There's no safe level of exposure to secondhand smoke or vape emissions.
- Adults, children and pets can experience harm from secondhand smoke and vape emissions.
- Secondhand smoke causes heart disease, stroke, cancer and lung diseases in adults.
- Secondhand smoke causes and worsens asthma attacks in adults and kids.
- Secondhand smoke is linked to Sudden Unexplained Infant Death Syndrome.
- Vape emissions are toxic, exposing non-users to potential cancer-causing chemicals.
- Vape emissions may cause an increase of asthma attacks.
- Vape emissions may reduce immune systems.
- Both cigarette or cigar smoke and vape emissions cause thirdhand smoke.
- Thirdhand smoke and vape emissions are the indoor pollution that stays in carpets, walls, furniture, and clothing.
- Thirdhand smoke is a potential health hazard to people, especially children and infants.

IT'S SAFER FOR EVERYONE

Smoke- and vape-free buildings have significantly fewer accidental fires. This means residents and staff can feel safer in their homes and workplace.

YOU WILL BE PROTECTING ALL RESIDENTS

Residents deserve to live in a smoke- and vape-free home and those impacted by secondhand smoke have the right to seek legal action against owners who do not make adequate provisions to protect them.

IT COSTS LESS

Smoke- and vape-free buildings are easier to maintain. This helps keep costs down so you can pass those savings on to residents and staff.

Hold an open meeting to talk about the changes and to address any questions or concerns from residents. Remember to always have resources available to help new residents understand the benefits of the policy.

PROMOTE YOUR SMOKE- AND VAPE-FREE POLICY



Going smoke- and vape-free helps protect residents from the dangers of secondhand smoke and vape emissions. Consider promoting your policy by:

- Posting smoke- and vape-free signs around your property.
- Providing resources to help support residents who may want to quit smoking, vaping, or using other tobacco products. [Find 802Quits Tobacco Treatment Resources](#)
- List the building as smoke- and vape-free in any web listings, advertisements or rental publications. Be sure to call out smoke- and vape-free amenities.
- Update Health Department Tobacco Control Program and be added to a database of smoke- and vape-free properties. Email us at AHS.VDHHPDPTobaccoVT@vermont.gov



IMPLEMENTATION TIPS

Once you've decided on the date your policy will go into effect, you'll need to make sure residents know about the new rules and how to follow them. Communicate the date and new rules by:

- Posting smoke- and vape-free signs in common areas. [See Signage Order Form](#)
- Sending notices to each unit and in rent statements.
- Holding a resident meeting to talk about the policy.

Sample Resident Meeting Agenda:

- Present your reasons for adopting a smoke- and vape-free policy.
- Share information on the health risks of secondhand smoke and vape emissions.
- Provide the results of your resident survey.
- Introduce and explain each item in the smoke- and vape-free policy.
- Explain how and when you'll implement the policy.
- Share information about 802Quits resources to support residents who may want to quit smoking/vaping and how residents can connect with these resources.
- Invite residents to share their opinions, questions and concerns.

Train your staff to address questions or concerns that residents, visitors or outside vendors may raise about the new policy. [See Resident FAQs](#)

ENFORCEMENT TIPS

Housing providers are responsible for enforcing their own smoke- and vape-free policies.

Follow these tips to help make sure your enforcement efforts are successful:

- Officially add policy change to leases or the house rules.
- Let residents know how they can report a suspected violation.
- Respond consistently to all violations, this will help current and future residents and staff understand the policy applies to everyone and will be consistently enforced.
- Train staff on how to follow the proper procedures if they observe a violation.
- Do not allow any residents exemption from the new policy. Enforcement becomes more difficult if you decide to "grandfather" people, because other residents will not know who is grandfathered and who is not.
- Follow through on all reported violations. More people will comply if residents know management takes the smoke- and vape-free policy seriously.
- Once the policy is in place, record all enforcement efforts.

- Add the smoke- and vape-free policy to a standard lease violation notification form and any other standard procedures already in place.
- Document each reported violation and evidence of the violation (cigarette butts, ashtrays, vape pods and disposable devices, neighbor reports drifting smoke on specific dates and times).
- Document all warning letters sent to the resident notifying them of a violation and any responses from the resident.
- Follow up conversations with a letter. If the resident was willing to talk with you, thank them for their time and remind them of what you agreed on. If they weren't home or refused to talk with you, remind them of the policy in the letter. [See sample](#) of a friendly warning letter.
- Send a written violation letter if the resident violates the policy after your first visit. [See sample](#) of a first written violation letter.
- Send a final written violation letter if the problem continues.
- If the resident violates the policy again, you can issue a termination notice. If the resident starts complying for a while to avoid eviction, but then begins violating the policy again, you may be able to terminate their lease right away or serve them with an eviction notice if you note another violation within a certain time frame. Refer to your policy for more detail.

Remember, most people want to live in a building where they are free from exposure to secondhand and thirdhand smoke and tend to speak up if they are being exposed — especially when they know a policy is in place and is being violated.

If you need assistance dealing with reported violations, contact the state's Smoking Violations Team at 802-489-7344 or AHS.VDHPDPTobaccoVT@vermont.gov

SAMPLE TENANT SURVEY



SAMPLE TENANT SURVEY

[Date]

Dear Residents of [building/complex/community]:

I am writing to let you know that we are considering a smoke-free policy for [name of property]. Like many other residential properties, workplaces and recreational facilities in Vermont and across the country, we are doing this to help protect you and other residents from the serious health risks of secondhand smoke.

Please respond to the questions below so that we may review this issue with your input.

Please slide responses under the office door [or provide other means of response] by the evening of [due date] so we can consider your comments.

PLEASE CIRCLE "YES" OR "NO" AND ADD COMMENTS AT THE BOTTOM.

- | | | |
|--|-----|----|
| ■ Do you use tobacco or nicotine products? (i.e. cigarettes, e-cigarettes or vapes) | YES | NO |
| ■ If yes, do you smoke or vape in your unit? | YES | NO |
| ■ Do you allow guests/family members or others to smoke or vape in your unit? | YES | NO |
| ■ Can you smell tobacco smoke or emissions from vape products from other units when in your apartment? | YES | NO |
| ■ Can you smell tobacco smoke or emissions from vape products when in the hallway/common areas? | YES | NO |
| ■ Would you be in favor of a smoke- and vape-free policy for this building?
(Meaning people who use cigarettes, cigars, e-cigarettes or vape products can still live in the building but cannot smoke/vape in the building) | YES | NO |

COMMENTS:

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[HEALTHVERMONT.GOV/HOUSINGTOOLKIT](https://healthvermont.gov/housingtoolkit)



SAMPLE TENANT SURVEY



SAMPLE TENANT SURVEY

Dear Valued Tenant:

The **(name of building management or property)** is interested in the safety and comfort of tenants, and providing an enjoyable living experience for all. According to the U.S. Surgeon General there is no risk-free level of exposure to secondhand smoke. Exposure to secondhand smoke can be particularly dangerous to children, adults and children with asthma, and to people with heart or breathing problems. Exposure to secondhand smoke is linked to higher rates of obesity and diabetes, and puts people at a greater risk for strokes.

We have decided to review our smoke/vape-free policy to determine if it should be revised in consideration of these findings. We value your tenancy and would appreciate your input so that we can design a policy that is equitable to our residents, and that provides guidelines as to where smoking will or will not be permitted. We believe a policy will reduce complaints from tenants and between neighbors about drifting secondhand smoke or vape emissions. All answers will be kept confidential.

PLEASE FILL IN THE BLANKS AND CIRCLE "YES" OR "NO" WHERE APPROPRIATE.

- How many years have you lived here? _____
- How many children under 18 years live in your home? _____
- How many people living in your home use tobacco products (i.e. cigarettes, e-cigarettes or vapes)? _____
- Do you allow visitors or workers (like repair professionals) to smoke or vape in your home? **YES** **NO**

If you answered "Yes": Please describe where the smoke or vape emissions are coming from (like a hallway, or a neighbor's home, porch or patio):

- Has secondhand tobacco smoke or vape emissions drifted into your home? **YES** **NO**
- Do you support making this building smoke/vape-free (i.e. cigarettes, cigars, e-cigarettes or vapes)? **YES** **NO**

Note: People who smoke or use e-cigarette or vape pens are still welcome to live here. Making the property smoke- and vape-free just means that they can't smoke or use vapes indoors, including in common areas and private homes.

- Do you think we should have a designated area outside where residents and guests can go to smoke and vape? **YES** **NO**
- Please list other areas of the building or grounds that you would like to see designated smoke- and vape-free:

Your name (please print): _____ Your unit number: _____

*Please slip completed forms under the management office door **for provide another method for return!**
Thank you.*

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SAMPLE LETTER TO RESIDENTS



SAMPLE VIOLATION WARNING LETTER

The following warning letter can be used as a model to write your own letters to tenants who are violating the terms of your smoke- and vape-free policy. Please note that the letter is intended to be tailored according to the specifics of your smoke- and vape-free policy and the penalties associated with violating the contract.

[Date]

Dear [Name of Resident],

We've been made aware that secondhand smoke or vape emissions have been drifting out of your home into common areas and/or others' homes **for "Our staff has noticed a strong odor of cigarettes in your home."** I would like to remind you that, as stated in your lease agreement, **[property name]** has a smoke- and vape-free policy that states **[insert non-smoking/vaping policy]**.

This decision is to protect the health of all tenants from the adverse effects of secondhand smoke or vape emissions, a known health hazard associated with lung cancer and heart disease. The decision was also made to promote safety in our building and for our tenants by reducing damage to units and risk of fire.

Tenants who violate the terms of their lease are subject to the penalties outlined in the lease agreement. If you violate the terms of the lease again, we may take appropriate action, including issuing a monetary fine or terminating your lease. **[Include further details about your enforcement procedures of warnings, fines, etc.]**

[If you have an outdoor designated smoking/vaping area, provide details on where it is and ask the tenant to smoke/vape only in the designated area(s).]

Thank you for your cooperation in this matter. Please don't hesitate to contact us at **[insert contact information]** if you have questions or concerns.

If you are interested in quitting smoking, vaping or other tobacco use, help is available through 802Quits, Vermont's tobacco treatment resource, at 802quits.org or **1-800-QUIT-NOW**. Vermonters 18 and older are eligible for free, evidence-based services, including tips and tools, phone counseling and text support, a personalized quit plan, and nicotine replacement therapy patches, gum and lozenges.

Sincerely,

[Name]
[Title]
[Company]

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SAMPLE LEASE AGREEMENT

****The portions of this addendum that have been included in parentheses may be adjusted depending upon the scope of your smoke- and vape-free policy.****

Resident and all members of the resident's family or household are parties to a written lease with Property Owner/Manager (the Lease). This addendum states the following additional terms, conditions, and rules that are incorporated into the lease. A breach of the lease addendum shall give each party the rights contained herein, as well as the rights provided for in the lease.

1. **Purpose of Smoke- and Vape-Free Housing:** The parties' desire to mitigate (i) the irritation and known health effects caused by secondhand smoke; (ii) the increased maintenance, cleaning, and redecorating costs from smoking; (iii) the increased risk of fire from smoking; (iv) the cost of fire insurance for non- smoke-free buildings.
2. **a. Definition of Smoking:** "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other smoking device for using tobacco.
b. Definition of Electronic Cigarette: The term "electronic cigarette" means any electronic device that provides a vapor of liquid nicotine and/or other substance to the user as she or he simulates smoking. The term shall include such devices whether they are manufactured or referred to as e-cigarettes, e-cigars, e-pipes, or under any product name.
3. **Smoke-Free Complex:** Resident agrees and acknowledges that the premises to be occupied by Resident and members of Resident's household have been designated as a smoke-free living environment. Resident and members of Resident's household shall not smoke anywhere in the unit rented (or owned, if coop or condo) by Resident, in the building where the Resident's dwelling is located, or in any of the common areas or any adjoining grounds, terraces, balconies, or other parts of the residential community, nor shall Resident permit any guest or visitors under the control of Resident to do so. The use of vaping devices, including e-cigarettes is also prohibited in all mentioned areas as well.
4. **Resident to Promote No-Smoking Policy and Alert Landlord of Violations:** Resident shall inform Resident's guests of the smoke-free policy. Further, Residents shall promptly give Property Manager/ Owner written statement of any incident where secondhand smoke is migrating into the Resident's unit from sources within the building.
5. **Property Manager/Owner to Promote No-Smoking Policy:** Property Manager/Owner shall post no-smoking signs at the entrances and exits, common areas, and hallways (and in conspicuous places on the grounds of the building/complex).
6. **Property Manager/Owner Not Guarantor of Smoke-Free Environment:** Resident acknowledges that Property Manager/Owner's adoption of the smoke-free living environment, and the efforts to designate the residential building/complex as smoke-free, do not make the Property Manager/ Owner or any of its managing agents the guarantor of Resident's health or of the smoke-free condition of the Resident's unit and the common areas. However, Property Manager/Owner shall take reasonable measures to enforce the smoke-free terms of its leases and to make the designated areas of the building/complex smoke-free. Property Manager/Owner is not required to take steps in response to smoking unless Property Manager/Owner knows of said smoking or has been given written notice of said smoking.

(continued on following page)



SAMPLE LEASE ADDENDA



7. Effect of Breach and Right to Terminate Lease: A breach of this Lease Addendum shall give each party all the rights contained herein, as well as the rights provided for in the Lease. A material breach of this Addendum by the Resident shall be material breach of the Lease and grounds for termination of the Lease by the Property Manager/Owner. Property Manager/Owner acknowledges that in declaring the building (or portion of the building and outdoor areas) to be smoke-free, the failure to respond by Property Manager/Owner to a complaint filed by the Resident shall be treated as equivalent to failure to respond to request for maintenance.

Paragraph for existing residential communities that adopt smoke-free policies and phase in the policy:

8. Effect on Current Residents: Residents acknowledge that current residents residing in the complex under a prior lease will not be immediately subject to the smoke-free policies. As current residents terminate occupancy, or enter into new leases, the smoke-free policy will become effective for those units.

Resident

Date

Property Manager/Owner

Date

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SIGNAGE ORDER FORM



Signage Order Form

Contact Information

Primary Contact:

Full Name: _____

Organization: _____

Phone: _____

Email: _____

Address: _____

Ship To (If Different):

Full Name: _____

Organization: _____

Phone: _____

Email: _____

Address: _____

Is the signage for the *Ship To* organization? Yes No

If **No**, what organization is the signage for? _____

Additional comments (optional):

Instructions

Cost: Orders of 1 to 5 signs are at no cost to your organization. Approval is required for orders of 6 or more signs. Please contact tobaccovt@vermont.gov to inquire about approval.

Sizes: Available in two sizes: 8.5"x11" and 12"x18".

Sign Material: .080 thickness aluminum with high intensity white and non-reflective material.

Customizing: Can be customized with your organization or business logo. If you would like to add your own logo to any sign, please email a print-ready logo file (PDF or JPG at least 150 DPI) to tobaccovt@vermont.gov. Please designate your preferences in the order form.

Send completed order forms and logo files (optional) to tobaccovt@vermont.gov.

Signage is secured through the Vermont Correctional Industries (VCI) Offender Work Program. All of the state-employee staff, the inmate workers, and the costs of production are paid from the sale of goods and services.



SIGNAGE ORDER FORM



Order Form

Sign 1

Smoke- and Vape-Free building policy with intention of reducing tobacco, e-cigarette and cannabis use.



Size	Quantity	Custom Logo?*
8.5"x11"		Yes <input type="checkbox"/> No <input type="checkbox"/>
12"x18"		Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Notes (optional)

*If yes, email a high-quality image file (print-ready PDF or high-resolution JPEG) to tobaccovt@vermont.gov.

Sign 2

Smoke- and Vape-Free zone with intention of reducing exposure to tobacco and cannabis smoke and vape emissions.



Size	Quantity	Custom Logo?*
8.5"x11"		Yes <input type="checkbox"/> No <input type="checkbox"/>
12"x18"		Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Notes (optional)

*If yes, email a high-quality image file (print-ready PDF or high-resolution JPEG) to tobaccovt@vermont.gov.

Sign 3

Substance-Free building policy with intention of reducing alcohol, tobacco and cannabis use.



Size	Quantity	Custom Logo?*
8.5"x11"		Yes <input type="checkbox"/> No <input type="checkbox"/>
12"x18"		Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Notes (optional)

*If yes, email a high-quality image file (print-ready PDF or high-resolution JPEG) to tobaccovt@vermont.gov.



SIGNAGE ORDER FORM



Order Form

Sign 4

Substance-Free zone with intention of reducing exposure to alcohol, tobacco and cannabis smoke and vape emissions.



Size	Quantity	Custom Logo?*
8.5"x11"		Yes <input type="checkbox"/> No <input type="checkbox"/>
12"x18"		Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Notes (optional)

*If yes, email a high-quality image file (print-ready PDF or high-resolution JPEG) to tobaccovt@vermont.gov.

Sign 5

Tobacco-Free zone with focus on reducing tobacco use.



Size	Quantity	Custom Logo?*
8.5"x11"		Yes <input type="checkbox"/> No <input type="checkbox"/>
12"x18"		Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Notes (optional)

*If yes, email a high-quality image file (print-ready PDF or high-resolution JPEG) to tobaccovt@vermont.gov.

Sign 6

Tobacco-Free buffer, showing support for quit attempts.



Size	Quantity	Custom Logo?*
8.5"x11"		Yes <input type="checkbox"/> No <input type="checkbox"/>
12"x18"		Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Notes (optional)

*If yes, email a high-quality image file (print-ready PDF or high-resolution JPEG) to tobaccovt@vermont.gov.

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TIPS TO QUIT SMOKING & VAPING



TIPS TO QUIT SMOKING AND VAPING

FIND THE PATH THAT'S RIGHT FOR YOU.



MAKE A QUIT PLAN.

Your chances of successfully quitting smoking and vaping are better when you have a plan. Learn your triggers and ways to avoid them by building your personalized quit plan at 802quits.org.



TRY FREE PATCHES, GUM & LOZENGES.

Your chances of quitting increase when you combine counseling with nicotine replacement therapy patches, gum and lozenges – all free from 802Quits.



DELAY A CRAVING!

If you feel a craving, tell yourself to wait 10 minutes. Then do something to distract yourself. Put together a "stress relief bag" with mints, drinking straws and a stress ball to keep your hands busy during cravings. Order free distraction tools at 802quits.org.



REDUCE STRESS.

To improve your mood, practice deep breathing or talk to friends, family and counselors. For an energy boost, get regular exercise and have healthy snacks throughout the day.



A SLIP IS JUST A SLIP.

It takes most people multiple times to quit successfully. A slip doesn't mean you've failed. The key is to get right back on track.



802QUITS.ORG ■ 1-800-QUIT-NOW

DOWNLOAD RESOURCES AT
HEALTHVERMONT.GOV/HOUSINGTOOLKIT



802QUITS - PATHS TO QUITTING






Improve your success in quitting tobacco with 802Quits

Get Help Quitting

Earn up to \$250 in rewards!

Some conditions apply.

Phone	Online	Text
		
1-800-QUIT-NOW One-on-one coaching <small>(for age 18 and older)</small>	802quits.org You navigate your quitting <small>(for age 18 and older)</small>	eCoaching From your mobile phone <small>(for age 18 and older)</small>
FREE	FREE	FREE
Coaches 24/7 Email and text support	Quit your way with online tools and resources like chat rooms and text support	Available with program enrollment by phone or online
Free Quit Medications Annually, 18 and older 16 weeks of patches or gum or lozenges OR 8 weeks of patches AND gum or lozenges <i>Ordered by your coach</i>	Free Quit Medications Annually, 18 and older 4 weeks of patches or gum or lozenges OR 2 weeks of patches AND gum or lozenges <i>You order online</i>	Free Quit Medications Annually, 18 and older Up to 16 weeks of patches or gum or lozenges OR Up to 8 weeks of patches AND gum or lozenges <i>Ordered by you or your coach</i>

Find the path that's right for you.



VERMONT DEPARTMENT OF HEALTH
1-800-QUIT-NOW | 802quits.org

DOWNLOAD RESOURCES AT
HEALTHVERMONT.GOV/HOUSINGTOOLKIT



THIS FACILITY SIGN



IN THE INTEREST OF THE HEALTH OF OUR TENANTS,
**THIS FACILITY IS GOING
SMOKE- AND VAPE-FREE ON:**

IF YOU WANT TO QUIT SMOKING OR VAPING, FREE SUPPORT IS AVAILABLE.

802Quits offers tips, tools and quit medications to help you quit cigarettes, cigars, e-cigarettes or vapes, chewing tobacco, dip hookah or other tobacco products.

FIND THE PATH THAT'S RIGHT FOR YOU.

Phone



1-800-QUIT-NOW

One-on-one
coaching

Online



802quits.org

You navigate
your quitting

Text



eCoaching

From your
mobile phone



YOU CAN QUIT.
WE CAN HELP.

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RESIDENT FAQ

COMMON RESPONSES TO RESIDENTS OR OTHERS ABOUT A SMOKE-FREE POLICY

These responses may change depending on what your specific policy includes.

Excuse me, sir (ma'am). All (property name) property, grounds and parking areas are smoke-free. You may only smoke/vape in the designated area. Would you please extinguish your cigarette/cigar/pipe/e-cigarette/vape now? Thank you.

Where am I allowed to smoke/vape? Only in the designated smoking area (if policy allows). (property name) has a smoke-free property policy that does not allow smoking or the use of vaping devices in any indoor areas including units and common areas. You must now smoke/vape only (outside of the XX-foot perimeter; or areas not covered by smoke-free policy; or in the areas marked as designated smoking areas). We appreciate your help in protecting the health of everyone on the property.

Why can't I smoke in my apartment? For your health and the health of others, (property name) is a smoke-free property. Secondhand smoke is dangerous for everyone. It has been proven that there is no safe level of exposure to secondhand tobacco smoke and vape emissions. (Property name) feels it is important to provide all residents, staff, pets and guests an environment free from the effects of secondhand smoke and vape emissions.

Why can't I vape? For your health and the health of others, (property name)'s smoke-free policy includes vape products. Vaping is the act of inhaling and exhaling an aerosol, often referred to as vapor, which is produced when an e-cigarette or similar device heats a liquid, usually containing nicotine, flavoring, propylene glycol and other additives. Vapes or e-cigarettes, including personal vaporizers, vape pens, e-cigars, e-hookah and vaping devices, have been proven to expose users to emissions of some of the same toxic chemicals found in combustible cigarette smoke.

I smoked/vaped last time I was here, why can't I smoke/vape now? In an effort to promote health and for your benefit and others around you, we no longer allow smoking/vaping on any (property name) property. Smoking/vaping is only permitted (outside of the foot perimeter; or in areas not covered by the policy; or in the areas marked as designated smoking/vaping areas).

Are you saying I have to quit smoking/vaping? You do not have to quit smoking/vaping, however you can't smoke/vape in the common areas or in an apartment. Smoking/vaping is only permitted in the outdoor designated smoking area (or as policy permits). Smoking/vaping is not allowed in any indoor area. If you would like to quit, I have information on how to access free 802Quits services.

How do I report a smoking/vaping violation? Report policy violations to your building manager or contact the state's Smoking Violations Team at 802-489-7344 or AHS.VDHPDP.TobaccoVT@vermont.gov.



802QUITS.ORG ■ 1-800-QUIT-NOW

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THE YEAR AFTER GUIDE

IN THE BEGINNING

WHAT YOU MAY EXPERIENCE:

- Residents who smoke/vape start complaining.
- Resident champions offer enthusiastic support.

RECOMMENDED ACTIONS:

- Announce on-site 802Quits tobacco treatment classes or other ways to support people who want to quit. Email tobaccovt@vermont.gov for assistance.
- Follow up on all complaints and don't ignore violations.

AFTER 3-6 MONTHS

WHAT YOU MAY EXPERIENCE:

- Residents who smoke/vape no longer complain.
- Resident champions' vocal support and enthusiasm begin to wane.
- Things quiet; there are regular violators; Resident champions complain about the people who smoke/vape.
- Reasonable accommodation requests may be received from residents who smoke/vape interested in continuing to smoke/vape in their units.

RECOMMENDED ACTIONS:

- Continue to communicate about the policy. Celebrate small successes in newsletter stories or other communications.
- Highlight stories of residents who changed their smoking behavior or quit.
- Meet with residents who resist complying with the policy.
- Enforce the policy fairly, uniformly, and with compassion.
- Announce smoking treatment classes or other ways to support people who want to quit.
- Address every request for reasonable accommodation according to your policies. Smoking/vaping is not a protected behavior.

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THE YEAR AFTER GUIDE



AFTER 6-12 MONTHS

WHAT YOU MAY EXPERIENCE:

- Resident complaints make enforcement feel challenging.
- Enforcement process is put to the test. Although housing providers do not like the idea of pursuing an eviction, at this point there may be a resident with multiple violations. Remember that presenting a solid eviction case depends on evidence that a fair and consistent multistep enforcement process was followed.

RECOMMENDED ACTIONS:

- Management and staff need to talk about staying focused and to be diligent and consistent in enforcement. Remind staff that this is a culture change that takes adaptation; there is no quick solution.
- Continue to schedule and attend resident meetings to build support for the policy. Ask residents for help with peer-to-peer encouragement.
- Announce 802Quits tobacco treatment classes or other ways to support people who want to quit.

FIRST YEAR ANNIVERSARY

WHAT YOU MAY EXPERIENCE:

- A subculture of healthier living led by staff and resident champions encourages compliance.
- News about issued violations gets around; residents realize the consequences are real and seek help with behavior modification if they are worried about being able to comply.

RECOMMENDED ACTIONS:

- Host a celebration event to mark each anniversary of being a smoke-free building or property.
- Announce 802Quits tobacco treatment classes or other ways to support people who want to quit.
- Conduct a survey about the smoke-free policy to determine:
 - Are residents happy with the policy?
 - Is the policy being followed?
 - For residents who smoke or vape, have they quit or reduced use since implementation of the policy?
 - For nonsmoking/vaping residents, has unwanted exposure to secondhand smoke decreased since implementation of the policy?
 - Have residents detected any health improvements as a result of the policy?
- Try to calculate the cost savings from unit turnovers and consider using a percentage of the savings in a visible manner that will directly benefit residents, such as making improvements to common areas or on the grounds, based on resident suggestions.

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CONTACT

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108 Cherry Street
Burlington, VT 05402

T 800-331-5622

F 802-651-1634

E tobaccovt@vermont.gov

W HealthVermont.gov/Prevent/Tobacco

This toolkit was adapted
with permission from
Smoke-Free Housing
Indiana.

March 2023



**YOU CAN QUIT.
WE CAN HELP.**

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