



SECONDHAND SMOKE SMOKE-FREE HOUSING

REASONS TO EXPLORE SMOKE-FREE HOUSING

This document is for property owners, landlords and property managers who are interested in exploring a smoke-free policy for their multi-unit buildings.

Today, more and more properties, from market rate housing to public housing, are going smoke-free. That's because a smoke-free property is:

Legal: Vermont supports a landlord's right to create a smoke-free environment. And federal rules now require smoke-free public housing (HUD Rule: Instituting Smoke-Free Public Housing). Smokers are not considered a protected class under the Fair Housing Act and there is no state or federal constitutional right to smoke.

In addition, going smoke-free can limit your liability. Residents can pursue legal action against a property owner, manager or other resident if they have a health problem they believe was caused or made worse by exposure to secondhand smoke.

While Vermont Act 86 eliminated penalties for possession of limited amounts of marijuana by adults age 21 and older, it also allowed landlords to still ban possession or use of marijuana or marijuana cultivation in lease agreements.

Healthy: Secondhand smoke is bad for everyone. It causes heart disease, cancer and lung diseases in adults. It makes kids more likely to get sick. It causes and worsens asthma attacks, and it's been linked to SUIDS (sudden unexplained infant death syndrome).

According to the U.S. Surgeon General, there is no safe level of exposure to secondhand tobacco smoke. By making your property smoke-free, you can have a big impact on the health of residents, staff and pets. Smokers themselves can benefit from living and working in a healthy, smoke-free environment that encourages them to smoke less or quit altogether.

Safe: Smoking is a leading cause of fires resulting in death. The risk of injury or death as well as property damage from accidental fires goes down when properties go smoke-free.

Cost-effective: Reducing fires reduces costs, as fire damage is very expensive. Smoke-free properties also require less maintenance, are easier and less expensive to turn over between tenants, and are more attractive to many potential residents. Surveys show that up to 80% of tenants, including those who smoke, would rather live in a smoke-free home.



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FAST FACTS

- ***Reduced Operating Expenses***
Apartment turnover can be two to seven times greater when smoking is allowed, compared to the cost of maintaining and turning over a smoke-free unit.
- ***Tenants Prefer Smoke-free Housing***
Many statewide surveys from across the United States demonstrate that as many as 80% of tenants, including smokers, would choose to live in a smoke-free complex. According to the 2017 Behavioral Risk Factor Surveillance Survey, almost 83% of Vermonters choose not to smoke at all. Likewise, 87% of all Vermont adults do not allow smoking anywhere inside their home (2016 Vermont Adult Tobacco Survey).
- ***Secondhand Smoke Is Deadly***
Secondhand smoke is a leading trigger of asthma attacks and other respiratory problems, and a known cause of SUIDS (sudden unexplained infant death syndrome).

Resources:

Department of Housing and Urban Development. Smoke-free Policy: Preparing for Your Smoke-Free Home.

Vermont State Legislature. Act 86 (18 V.S.A. §4230a(b)(2)(E)).

American Nonsmokers Rights Foundation. The Benefits of Smokefree Buildings. Smoke Free Housing Project. A Landlord's Guide to No-Smoking Policies.

Smoke-Free Housing Coalition of Maine. 2004–2006 Surveys. (Portland, ME: 2007).

Washington State Department of Health, Tobacco Prevention and Control Program. 2003 Tenant Surveys. (Olympia, WA: 2003).

Oregon Smoke Free Housing Project, 2006 Market Surveys. American Lung Association of Oregon. (Tigard, OR: 2006).

United States, Office of the Surgeon General. The Health Consequences of Involuntary Exposure to Tobacco Smoke. (Atlanta, GA: Department of Health and Human Services, 2006).



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