

Enforcement Tips

It's easier than you think!

1. Smoke-free policies are usually self-enforcing as long as the policy details are clearly communicated to residents. Because most residents prefer to live in a smoke-free community, they will most likely eagerly accept the policy.

2. Put the policy in writing. You can find a sample lease on the Breathe Easy website. Incorporate the smoke-free policy into the lease through an addendum that:

- clearly outlines where smoking is prohibited
- applies to residents, staff and guests
- contains language that allows the manager the right to terminate the lease upon breach of any provision
- states that waivers can only be made in writing. This will help support your case if a resident argues the smoke-free policy has been waived due to lack of enforcement.
- includes a disclaimer that the landlord is not guaranteeing the property is completely free of smoke
- places some ownership on residents to notify you if the policy is not being followed

3. You may include the penalty for first, second and third offense in your lease. Most managers notify residents with a warning letter detailing the infraction. Some managers also include fines to restore the home to prior condition and account for any loss of revenue due to eviction.

4. If you receive a complaint about a resident smoking, document the facts and treat the matter as any other lease violation. It is important to act in a timely manner, as you would with any other complaint or maintenance concern. If you do not act quickly, other residents may start disregarding the policy as well.

5. Provide information on cessation resources for residents who are interested in quitting smoking. You can find information on the Breathe Easy website.

Many property managers and owners have found smoke-free policies actually **reduce complaints** from residents, and they experience little difficulty enforcing the policy. It is important to treat this policy as you would any other, and you will be on your way to **a happy and healthy community.**



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SMOKE FREE