

Questions & Answers

FOR MULTI-UNIT HOUSING LANDLORDS



Why Go Smoke-Free?

Tobacco use is the leading preventable cause of death in the United States. There are numerous reasons for landlords and property managers to consider smoke-free policies. The market for smoke-free housing is strong, and surveys indicate that tenants prefer tobacco-free housing.

86%

of Oklahomans Prefer
Tobacco-Free Housing¹

Smoke-free units are less expensive to rehab between tenants and can be turned over faster than smoking units. Because non-smoking properties are less likely to be destroyed in fires, they may qualify for lower property and casualty insurance rates. It not only protects the health of tenants and employees but is also good for business.

How Does Secondhand Smoke Affect Health?

Secondhand smoke contains a deadly cocktail of more than 7,000 compounds, including poisonous and radioactive substances; 70 of these chemicals are known carcinogens which means they are capable of causing cancer.

Thirdhand smoke is a fairly recent discovery and is known to cause similar health issues. Thirdhand smoke is the leftover residue from smoke after it has cleared and can attach to surfaces like clothes, furniture, floors and walls, as well as dust particles that may be breathed in through the lungs.

Secondhand smoke causes numerous serious illnesses including:

- Asthma Attacks
- Sinus Infections
- Ear Infections
- Chronic Cough
- Heart Disease
- Heart Attacks
- Cancer
- Sudden Infant Death Syndrome (SIDS)



SMOKE-STAINED WALLS

SMOKE-FREE WALLS

How Does Smoking In One Rental Unit Affect The Units Around It?

Secondhand and thirdhand smoke seeps through hidden openings not obvious to the casual observer. It infiltrates surrounding units through light fixtures, wall outlets, crawl spaces, attics, dust, shared ventilation, cracks in walls, spaces around plumbing, open windows, and other areas of the structure. Tenants in surrounding units are involuntarily exposed to this even if they are not in direct contact with smokers.

Are Smoke-Free Policies Difficult To Enforce?

Many property managers find it takes no additional time or effort to enforce nonsmoking policies. There is no need to patrol or police your property for violations. Instead, allow tenants and employees to report any infractions and treat each violation as you would other lease infringements. Consequences may escalate to include termination of the lease. It is suggested that termination of a lease is used as a last resort.

Consider notifying residents a few months before adoption of a smoke-free policy. This will allow those who do smoke the opportunity to weigh their options and consider quitting. Offer your smoking residents free cessation materials like those provided by the Oklahoma Tobacco Helpline at 1-800-QUIT-NOW.

➤ www.okhelpline.com

Are Tenants Allowed To Smoke Outside?

It is up to you to determine what smoking is allowed on your private property. If you do allow tenants to smoke outside, it is best to designate areas that are at least 25 ft. away from building entrances to protect tenants from drifting smoke.

Are Smoke-Free Policies Legal?

Smoking is not a protected right for anyone. It is not a protected behavior under any federal, state or local laws. Therefore, a landlord can establish a non-smoking policy.

The only legal obligation required when making a change to a lease agreement is to allow adequate time, as dictated by the state before making any alterations to the agreement. Make sure you follow your state's guidelines for the amount of notice required to give tenants before the change. **In Oklahoma, you must give a 30 day notice before making a policy change that affects tenants.**