# Smoke-Free Policy Enforcement Tips for Property Managers

Property Managers are required to comply with the Smoke-Free Ordinance Steps to Communicate and Enforce the Smoke-Free Ordinance by maintaining smoke-free environments. Following are compliance steps for property managers.

1. **Put the rule in writing** - Incorporate the no-smoking policy into the written lease through a No-Smoking Addendum or House Rules. Make sure all new and current residents are aware:
	* Where smoking is allowed and where it is not (for example, in the parking lot);
	* That the no-smoking policy applies to their guests too; and…
	* This policy is required by the City Ordinance.
2. **Post adequate signage** identifying the property/buildings as smoke- free. Obtain signage templates to print out yourself at <https://www.tecc.org/product/no-smoking-no-vaping/>.
3. **Enforcement** - Most smoke-free policies are self-enforcing. Residents can be your greatest allies. If a resident complains about being bothered by smoke or knows of another resident who has violated the policy, document the facts and resolve the matter immediately. Treat violating the no- smoking policy like any other lease violation. Lack of enforcement with one resident may hamper enforcement with future residents and increase your liability. Prompt, consistent action will send a clear message to everyone in your property that smoking is not allowed.

**Common steps landlords can take to enforce the policy:**

* + Start with a verbal meeting with the resident who is violating the policy. A resident complaint may prompt a “knock and talk”. The resident does not have to answer the door, nor do they have to let you in, but if the door opens, it is an opportunity to have a friendly talk about the no-smoking policy. Document the visit and whether or not you smelled smoke inside the unit.
	+ If the problem repeats, send a Written Violation letter to the resident – see **Sample Violation Warning Letter (below).**
	+ If the violation persists, proceed with eviction or contact City Code Enforcement.

**SAMPLE WARNING LETTER**

**FROM PROPERTY MANAGER TO TENANT**

**REGARDING VIOLATIONS**

**Date:**

**To:**

**From:**

Please be advised that you are in violation of (Property Name \_\_\_\_\_\_\_\_\_\_) of local public health and safety laws and your smoke-free lease.

Per your lease and the property rules, smoking and vaping tobacco or cannabis is prohibited in any area of the property. I have attached a copy of your lease with the applicable rules highlighted. We are aware that you are continuing to smoke or vape in what has been designated as a smoke-free unit by law.

You, your family members, roommates and/or visitors must refrain from smoking in your unit or on the property. You are requested to correct this situation immediately.

Your immediate attention to this matter is greatly appreciated. Please contact the management office if you have questions. Failure to comply with your smoke-free lease could result in eviction proceedings.

If you have questions or concerns, please contact me at [insert phone number\_\_\_\_\_\_\_\_] or stop by the office.

Thank you for your cooperation in this matter.

**Sample Resident Reminder Letter- to all Residents**

**Date:**

**Dear Resident,**

[Property name\_\_\_\_\_\_\_\_\_\_] has adopted a smoke‐free policy in order to provide a healthier environment for all residents and as required by our local jurisdiction. The harmful effects of secondhand smoke, increased maintenance costs, and fire danger caused by indoor smoking are simply too great to ignore.

This (building name & address \_\_\_\_\_\_\_\_\_) is 100% smoke-free. This means that there will be no carrying or use of a lit tobacco or marijuana product in any units (including balconies and patios) as well as indoor or outdoor common areas of property. This policy includes tenants as well as guests, maintenance personnel, and staff. Vaping of tobacco or cannabis is also illegal by law and therefore not allowed.

* + Secondhand smoke can travel through doorways, windows, wall joints, plumbing spaces, and even light fixtures, so secondhand smoke from one unit can adversely affect the health of residents in other units. Smoke also travels between open windows, decks and patios, which is why these areas, including a 20- foot buffer zone, are smoke-free. In addition, fires caused by smoking‐related materials are the number one cause of home fire deaths.
	+ If you or your family members are interested in more information on smoke‐free living, please visit the following web‐site: <https://www.kickitca.org/> The web‐site will also link you to a number of resources that can help if you are thinking about quitting smoking.

Please feel free to contact (name of employee, property manager, etc.) or myself if you have any questions. We will be happy to assist you in any way possible to work toward a smooth transition.

Sincerely,

Property Manager’s Name Title

Management Company

**Sign available from:** <https://www.tecc.org/product/no-smoking-no-vaping/>.

