

Snyder County Housing Authority

Smoke-Free Policy

As required by the U.S. Department of Housing & Urban Development (HUD), the Snyder County Housing Authority (SCHA) is hereby adopting a policy to forbid smoking in all of its structures and within 25 feet of a SCHA owned structure. It does not prohibit smoking by public housing residents. It just states where they cannot smoke. **This policy shall go into effect on July 1, 2018.**

A. PURPOSE:

This policy was developed to:

1. Protect tenants from the medical hazards of second hand smoke;
2. Protect lives and property from fires due to smoking accidents; and
3. Reduce turnover costs associated with smoke damage in our residential units.

B. DEFINITIONS:

Prohibited tobacco products. Items that involve the ignition and burning of tobacco leaves, such as (but not limited to) store bought or hand-rolled cigarettes, cigars, and pipes. This includes water pipes and/or hookahs, electronic nicotine delivery systems or E-cigarettes. Electronic Cigarette or E-Cigarette means any electronic device that provides a vapor of liquid nicotine and/or other substances to the user as he or she simulates smoking. The term shall include such devices whether they are manufactured or referred to as e-cigarette, e-cigars, e-pipes, ENDS, and all vaping devices.

Restricted areas. Smoking is not allowed in any public housing living units and other interior areas, including but are not limited to, hallways, rental, and administrative offices, maintenance facilities, community centers, day care facilities, laundry facilities, and similar structures. Smoking is also prohibited in outdoor areas within 25 feet of public housing, administrative offices, administrative office buildings, outdoor playgrounds, and other SCHA owned structures.

At this point in time SCHA does not provide any designated smoking areas.

Covered individuals. This policy covers not only everyone living on the property, but also all live-in aides, guests, visitors, outside vendors hired by residents, all contractors hired by the SCHA and all SCHA employees. Each resident is responsible for his or her live-in aides, guests or visitors. Violations of this policy by a live-in aide, guest or visitor will be considered to have been made by the resident(s) head of household. The SCHA is responsible for enforcing the policy with their contractors and SCHA employees.

C. THE POLICY:

Beginning July 1, 2018, no lighted prohibited tobacco products will be allowed in restricted areas of the SCHA (all public housing living units and other interior areas. Interior areas include, but are not limited to, hallways, rental, and administrative offices, maintenance facilities, community centers, day care facilities, laundry

facilities, and similar structures. Smoking is also prohibited in outdoor areas within 25 feet of public housing, administrative offices, administrative office buildings, outdoor playgrounds, and other SCHAs owned structures). Residents, live-in aides, visitors, guests, outside vendors hired by residents, contractors hired by the SCHAs and all SCHAs employees are all covered by this policy. Any costs incurred by the SCHAs due to a violation of this policy by a resident, an aide, visitor, guest, or outside vendor hired by the resident shall become the financial obligation of the resident. Any costs incurred due to a violation of this policy by contractors, their employees, or subcontractors shall be the responsibility of the contractor.

D. PHASE-IN PERIOD:

All residents will need to sign a new lease (or lease addendum) incorporating this policy into the lease and sign a form attached to the end of this acknowledging their understanding of the Smoke-Free Policy. Refusal to execute the Lease Addendum will be considered a material breach of the residents' lease agreement.

The SCHAs is providing the following information to assist people who want to begin their effort to quit smoking even before the new No Smoking Policy goes into effect.

PA Dept. of Health YOU CAN QUIT – Call 1-800-QUIT-NOW (1-800-784-8669, or go the web site <https://pa.quitlogix.org> . Information will be available in either English or Spanish. The web site has a myriad of links for smoking cessation and other related programs.

American Lung Association - <http://www.lung.org/stop-smoking/>

If any of the above services cannot accept a resident or applicant into its stop smoking program, this is not a valid reason to continue smoking. This policy must be complied with in all situations.

While the policy will not take effect until July 1, 2018, the SCHAs urges its smoking residents to begin their transition to a smoke-free life as soon as possible. The SCHAs recognizes that quitting smoking is a difficult task and urges its residents to give themselves as much time as possible to make the transition.

Residents living in the property when this policy is adopted have time to make the transition. This will not be the case for smokers admitted after the effective date of this policy. The fact that one smokes is not a valid reason for rejecting an applicant for public housing. However, smokers admitted after the effective date of this policy are required to comply with the policy immediately upon their admission to public housing. For this reason, the SCHAs will offer a referral to a smoking cessation program to any applicant who indicates that he/she is a smoker. Whether one takes advantage of the referral is totally up to the applicant. However, anyone moving into public housing must comply with this policy, and be fully aware of the penalties for non-compliance as outlined below.

E. REASONABLE ACCOMMODATION REQUESTS:

An addiction to nicotine or smoking is not a disability. That stated, a person with a disability may request a reasonable accommodation if they are a smoker. However, smoking inside a public housing unit is not a reasonable accommodation. **If** designated smoking areas were to be provided by SCHAs, such as a covered section for persons wanting to smoke, the smoking areas would have to be accessible to all.

F. ENFORCEMENT OF THE SMOKE-FREE POLICY FOR RESIDENTS:

A breach of this policy constitutes grounds for initiation of the lease violation proceedings of the Smoke Free Policy. A breach of this policy, by a household member, live-in-aide, or guest of the Tenant, shall be a breach of the Lease Agreement and grounds for immediate termination of the Lease Agreement by the HACC.

Penalties

1st Violation – Resident will be sent a written violation of the Smoke Free Policy, with a copy of the policy attached

2nd Violation – A meeting will be scheduled with the resident to discuss the Smoke-Free Policy and their repeated offenses. Management will discuss strategies to help the resident comply with the policy, i.e., smoking cessation materials and referral to smoking cessation program. Resident must sign an Acknowledgement of Written Warning and an agreement not to violate the Policy again or face further action.

3rd Violation – Written termination of the lease agreement. Tenant has a right to file a grievance under the Authority’s Grievance Procedure.

G. DISCLAIMER:

The SCHA’s adoption of this policy does not change the standard of care it has for the living units or common areas. The SCHA specifically disclaims any implied or express warranties concerning the air quality in either the living units or common area. There is no warranty or promise that the air will be smoke free.

**Snyder County Housing Authority
Acknowledgement of the Smoke-Free Policy**

I, _____, acknowledge receipt of a copy of the SCHA’s Smoke-Free Policy and the fact that it has been explained to me. I have read the policy and understand that the violation of the policy by any members of the household and/or guests can lead to me and my family’s eviction from the property.

Signatures are required by all family members age 18 and over.

Signature: _____
Printed Name: _____ Date _____

Signature: _____
Printed Name: _____ Date _____

Signature: _____
Printed Name: _____ Date _____

Signature: _____
Printed Name: _____ Date _____

Signature: _____
Printed Name: _____ Date _____

Snyder County Housing Authority:

Denise G. Miller, Executive Director Date _____