



Smokefree Housing Policy Enforcement Guide

For property owners & managers

The information in this guide has been adapted by the American Nonsmokers' Rights Foundation's [Advice for Enforcing a Smokefree Housing Policy](#), the Public Health Law Center's [Smoke-free Multi-Unit Housing Equitable Enforcement Strategies](#), and the Clean Air For All: The Smoke-free Public Housing Project's [Compliance and Enforcement Toolkit](#).

- 1. Add the smokefree policy to the lease or house rules.** Make sure the policy change is officially added to leases or the house rules. Follow the same procedures for adopting and documenting the smokefree policy—and for notifying residents about the policy—that is required for any other changes to lease provisions and house rules.
- 2. Communicate with residents.** Communicate what the policy requires residents to do, and what the consequences are for violating the policy. Send a letter to residents when the policy is adopted, and again when the policy goes into effect. Consider holding a meeting for tenants shortly before the policy goes into effect to allow residents to voice concerns and get answers to questions. Provide information about how to access the [Montana Tobacco Quit Line](#) in case residents who use tobacco are interested in quitting.
- 3. Clarify what the smokefree policy means.** Be sure that residents understand which products cannot be smoked in accordance with the policy, whether that be combustible tobacco products, e-cigarettes or vapes, and marijuana. Residents do not have to quit smoking, and do not have to move out of their home. They simply cannot smoke in the specified areas. The purpose of a smokefree building is to provide a cleaner, safer, healthier living environment for all residents, including smokers and their families. Residents may have a lot of misinformation and fears, so help address their concerns.
- 4. Post smokefree signs.** Most people do the right thing and comply with smokefree policies without incident when they know what is expected. Posting signs in visible areas at building entrances and in common areas is an important component of achieving compliance. If smoking is prohibited in outdoor areas, be sure to post signs in those locations. Clear signage communicates the smokefree policy with residents, guests, maintenance staff, and others so that everyone knows exactly where they can and cannot smoke. Contact your local Tobacco Prevention Specialist for [free signage](#).

Congratulations on adopting a smokefree policy for your building! Smokefree apartments, condominiums, and other multi-unit buildings are in the best interest of the residents, owners, and management. By going smokefree, you reduce the health risks for residents and guests, improve safety, and prevent property damage. Smokefree policies are being adopted by housing providers in communities all across the country, and information is available on how to enforce your new policy and promote compliance.

- 5. Community-supported compliance.** Residents are one of the best enforcement tools for a smokefree policy. Most people want to live in a building where they are free from exposure to secondhand smoke and tend to speak up if they are being exposed—especially when they know a policy is in place and is being violated. Let residents know how they can report a suspected violation. Encourage residents and staff who report a suspected violation to keep a written log of dates, times, and locations. If residents continually smell or see smoking in prohibited locations, then it will be difficult to enforce the policy because people will be receiving the cue that smoking is permitted.
- 6. Have consistent enforcement procedures in place.** A graduated enforcement structure helps ensure better compliance with a smokefree policy by providing multiple steps for enforcement and providing the opportunity for residents to change their behavior before infractions rise to the level of lease termination. If eviction is used to enforce the policy, it should be used only as a last resort. When notifying a resident that they are in violation of the smokefree policy, cite any prior violations and let them know the consequences for subsequent violations. Follow through on all reported violations. It will enhance compliance if residents know management takes the smokefree policy seriously and are consistent and responsive to reported lease violations. It is possible to support tenants suffering from nicotine dependence or addiction while at the same time ensuring that residents, guests, property management, and staff are safe from the harms of secondhand smoke exposure.
- 7. Record enforcement efforts.** A process may already be in place for documenting efforts to enforce lease provisions. Add the smokefree policy to a standard lease violation notification form. Be sure to document each reported violation and evidence of the violation (ex: witness smoking, burn damage caused by smoking, tobacco or marijuana smells, evidence of ashes, smoke damage to walls, etc.) Likewise, document management efforts to notify resident of a violation, and any responses from the resident.
- 8. Advertise the building as smokefree.** Smokefree housing is an amenity that should be promoted when advertising available units in the building. Compliance can be enhanced by advertising the building’s smokefree policy because it lets prospective residents know what to expect when they move in, and people can make an informed decision about applying for the building. Surveys around the country show that most residents want to live in a smokefree building. Even people who smoke increasingly do not smoke inside the home in order to protect their family and furnishings. You can [share your smokefree policy](#) with the Montana Tobacco Use Prevention Program and it will display on [Montana’s Smokefree Housing Map](#).
- 9. Seek support from local experts for free.** [County](#) or [tribal](#) Tobacco Prevention Specialists can assist you with policy implementation at no cost. These local experts can provide smokefree housing education to staff or residents, additional tips on enforcement, free signs, cessation resources, and other assistance. If you need assistance with connecting to your local Tobacco Prevention Specialist, call 1-866-787-5247.

SAMPLE SCENARIO #1

Q: A maintenance worker observes an ashtray full of cigarette butts in a unit during a visit to unclog a drain. What should they do?

A: Document and report the ashtray to the property manager or supervisor.

SAMPLE SCENARIO #2

Q: A property manager receives multiple complaints from residents about secondhand smoke on the third floor. What could the manager do to address the complaints?

- A:**
- Send a policy reminder letter to all residents
 - Post additional signage throughout the building
 - Knock on third floor doors to discuss the problem with residents
 - Hold a resident meeting
 - Remind staff to report evidence of violations
 - Work with social services to help residents overcome compliance barriers

QUIT RESOURCES TO ASSIST WITH SUPPORTING NICOTINE DEPENDENCE OR ADDICTION RECOVERY

Many free resources are available to help Montanans overcome nicotine dependence or addiction.

Montana Tobacco Quit Line

Call 1-800-QUIT-NOW (1-800-784-8669) or visit www.quitnowmontana.com

- For all Montanans and ALL types of tobacco (smokeless, cigarettes, e-cigarettes, etc.)
- FREE Nicotine Replacement Therapy (NRT), FREE or reduced-cost prescription medication (for Montanans over 18)
- FREE quit coaching, FREE personalized quit plan
- Visit www.quitnowmontana.com for more information, to enroll online or to chat online with a coach

In addition to the general quit line, the following special programs are available:

YOUTH: MY LIFE, MY QUIT

My Life, My Quit is a youth program for Montanans under 18 who want to quit any form of tobacco including vaping. My Life, My Quit offers CONFIDENTIAL enrollment and coaching, FREE coaching though text, chat, or phone by coaches specially trained to work with youth, and on-line enrollment. Text "Start" to 36072, call 1-855-891-9989 or visit mylifemyquit.com.

YOUNG ADULTS (18-24)

Free coaching via text, chat or phone is available to Montanans aged 18-24 who are ready to quit tobacco. Coaches are specially trained to work with young adults. Text "Start" to 36072 for live text coaching, visit quitnowmontana.com for live chat coaching, or call 1-800-QUIT-NOW for live phone coaching.

AMERICAN INDIANS

The American Indian Commercial Tobacco Quit Line connects American Indian callers with an American Indian coach, providing culturally appropriate cessation services. Call 1-855-5AI-QUIT or enter through 1-800-QUIT-NOW and ask for an American Indian coach. Visit MTAmericanIndianQuitLine.com.

PREGNANT WOMEN

The Quit Now Montana Pregnancy Program connects pregnant women with a dedicated female quit coach, offers cash incentives for completed coaching calls, and FREE NRT when approved by doctor. Call 1-800-QUIT-NOW (1-800-784-8669) or visit quitnowmontana.com.

Note: click resources to access online

ADDITIONAL RESOURCES FOR ENFORCEMENT

- [Promoting Smoke-Free Policy Compliance: Tips for Managers](#)
- [Resident Engagement Ideas](#)
- [Enforcing a Smoke-Free Policy in Public Housing](#)
- [Smoke-Free Policy Compliance and Enforcement FAQs](#)
- [Tips to Promote Conflict Resolution](#)

TOOLS TO PROMOTE COMPLIANCE

- [Post-policy resident survey](#)
- [Policy reminder letter](#) (for management to give to all residents)
- [Foundations for a Successful Smoke-Free Policy: A Training for People who work in Public Housing](#)

NOTICES

- [Notice of Concern Form](#) (for resident leaders or management to notify a resident of a possible violation)
- [Notice of Smoking Incident Form](#) (for residents to report a violation to management)
- [Notice of Smoking Infraction Form](#) (for management to notify a resident of a violation)

A smokefree home is a healthy home.

