

3. NO SMOKING POLICY

As required by HUD, the Blue Hill Housing Authority will hereby adopt a policy to forbid smoking in all of its structures and within 25 feet of a Blue Hill Housing Authority 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 April 1st 2018 in accordance with the rules and regulations put forth by HUD.

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, burning and disposal of tobacco products and electronic Nicotine delivery systems, such as (but not limited to) store bought or hand-rolled cigarettes, marijuana, cigars, pipes, and e-cigarettes. This includes water pipes and/or hookahs.

Restricted areas. Smoking is not allowed in any 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 within 25 feet of public housing and other PHA owned structures.

Designated smoking areas. Smoking will be limited to areas outside a restricted area and designated for smoking by the PHA. The area will be identified by a site plan attached to leases and/or signage¹ erected on the site. The designated smoking area will be accessible for persons with disabilities.

Covered individuals. This policy covers not only everyone living on the property, but also all guests and visitors. Each resident is responsible for his or her guests or visitors. Violations of this policy by an aide, guest or visitor will be considered to have been made by the resident(s) head of household.

C. THE POLICY:

Beginning April 1 2018 no lighted prohibited tobacco or marijuana products will be allowed in restricted areas of the PHA (all public housing living units and other interior areas. Interior areas

¹ Follow the signage guidance on page 3 of PIH Notice 2017-03.

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 within 25 feet of public housing and other PHA owned structures). Residents, aides, visitors, and guests are all covered by this policy. Any costs incurred by the PHA due to a violation of this policy by a resident, an aide, visitor, or guest shall become the financial obligation of the resident.

D. *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. Reasonable accommodations will be made, where warranted, as quickly as possible.

E. *PENALTIES FOR VIOLATING THIS POLICY:*

If a resident, aide, visitor, or guest violates this policy the following penalties shall be enforced:

<i>First Offense</i>	<i>Oral and or Written Warning</i>
<i>Second Offense</i>	<i>Written Warning</i>
<i>Third Offense</i>	<i>Written Warning/Termination of lease</i>

All penalties assessed against a resident will be documented in the resident's file.

F. *DISCLAIMER:*

The PHA's adoption of this policy does not change the standard of care it has for the living units or common areas. The PHA 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.

Blue Hill Housing Authority
Westgate Manor

I, _____, acknowledge receipt of a copy of the PHA's No Smoking Policy and the fact that it has been explained to me. I have read the policy and understand that the violation of the policy can lead to my and my family's eviction from the property.

Name

Date

Name

Date