

NHA Totally Smoke-Free Policy

1. **Purpose of Smoke Free Policy** – The parties desire to mitigate (i) secondhand smoke; (ii) the increased maintenance, cleaning costs associated with smoking inside units; and (iii) the increase risk of fire from smoking inside units and outdoor areas as well.

2. **Definitions** – The term “smoking” refers to the use or possession of a lighted cigarette, lighted cigar, lighted pipe or other tobacco product or similar lighted product to include hookah or water pipes in any manner or form.

3. **Smoke Free Policy** –

The Rule was created to help reduce the risk of fires, exposure to secondhand smoke, and smoke-related maintenance costs benefitting all PHA staff and residents. At this time, the Rule does not include prohibiting electronic cigarettes (e-cigs) or vaping.

- Smoking is prohibited inside and outside all units, common areas, PHA administrative offices.
- No smoking is permitted in or around any building, including entryways, porches, balconies and patios.
- No smoking is permitted within the PHA’s property boundary.
- No smoking is permitted in outdoor common areas, including but not limited to playgrounds and picnic areas.
- NHA has chosen to go TOTALLY SMOKE FREE.
- All smoking related trash (butts, wrappers, etc.) must be disposed of in proper waste receptacles.
- “No smoking” applies to all residents, their guests, visitors, family, service personnel, vendors, medical aids and staff.
- Residents are responsible for informing their guests of the Smoke-Free Policy.
- Residents should promptly give the landlord a written statement of any incident where tobacco smoke is entering the resident’s unit from sources outside of the resident’s unit.
- Landlord will post “No Smoking” signs in visible places.

4. Disclaimer by Landlord – Resident acknowledges Landlord’s adoption of a Smoke-Free Policy and the efforts to designate the complex as no-smoking does not in any way change the standard of care that the Landlord has under applicable law to render the complex any safer, more habitable or improved in terms of air quality standards than any other rental premises.

Landlord specifically disclaims any implied or express warranties that the property will have any higher or improved air quality standards than any other rental property. Landlord cannot and does not warrant or promise that the property will be free from secondhand smoke.

Tenant acknowledges that Landlord’s ability to police, monitor or enforce the agreements of this policy is dependent in significant part on compliance by residents and their guests.

Landlord is not required to take steps in response to smoking unless Landlord knows of said smoking or has been given written notice of said smoking and has knowledge of the responsible party. Tenants with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that Landlord does not assume any higher duty of care to enforce this policy than any other Landlord obligation.