

# Tobacco Free Multi-Unit Housing Ordinance

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Department of Health, Housing &  
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# Tobacco Free Multi-Unit Housing Council Direction

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- Protect ALL residents of multi-unit housing from secondhand smoke
- Provide robust City enforcement

# Tobacco Free Multi-Unit Housing Proposed Ordinance

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- Effective May 1, 2014
- Smoking is prohibited in **ALL** units and all common areas of multi-unit residences
- All **initial** leases must include non-smoking clause
- All **current** tenants must be offered the opportunity to **voluntarily** add non-smoking addendum



# Tobacco Free Multi-Unit Housing Notice

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- By March 1, 2014, landlords mandated to provide notice of ordinance requirements to all existing tenants
- After May 1, 2014, landlords mandated to provide notice of ordinance requirements at tenant application
- After May 1, 2014, mandated disclosure of ordinance requirements in all condominium sales contracts



# Tobacco Free Multi-Unit Housing

## **Proposed Enforcement**

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### ➤ **City Enforcement**

### ➤ **Lease Clause**

- 1) Initial leases: Mandatory non-smoking lease clause
- 2) Existing leases: Voluntary non-smoking addendum



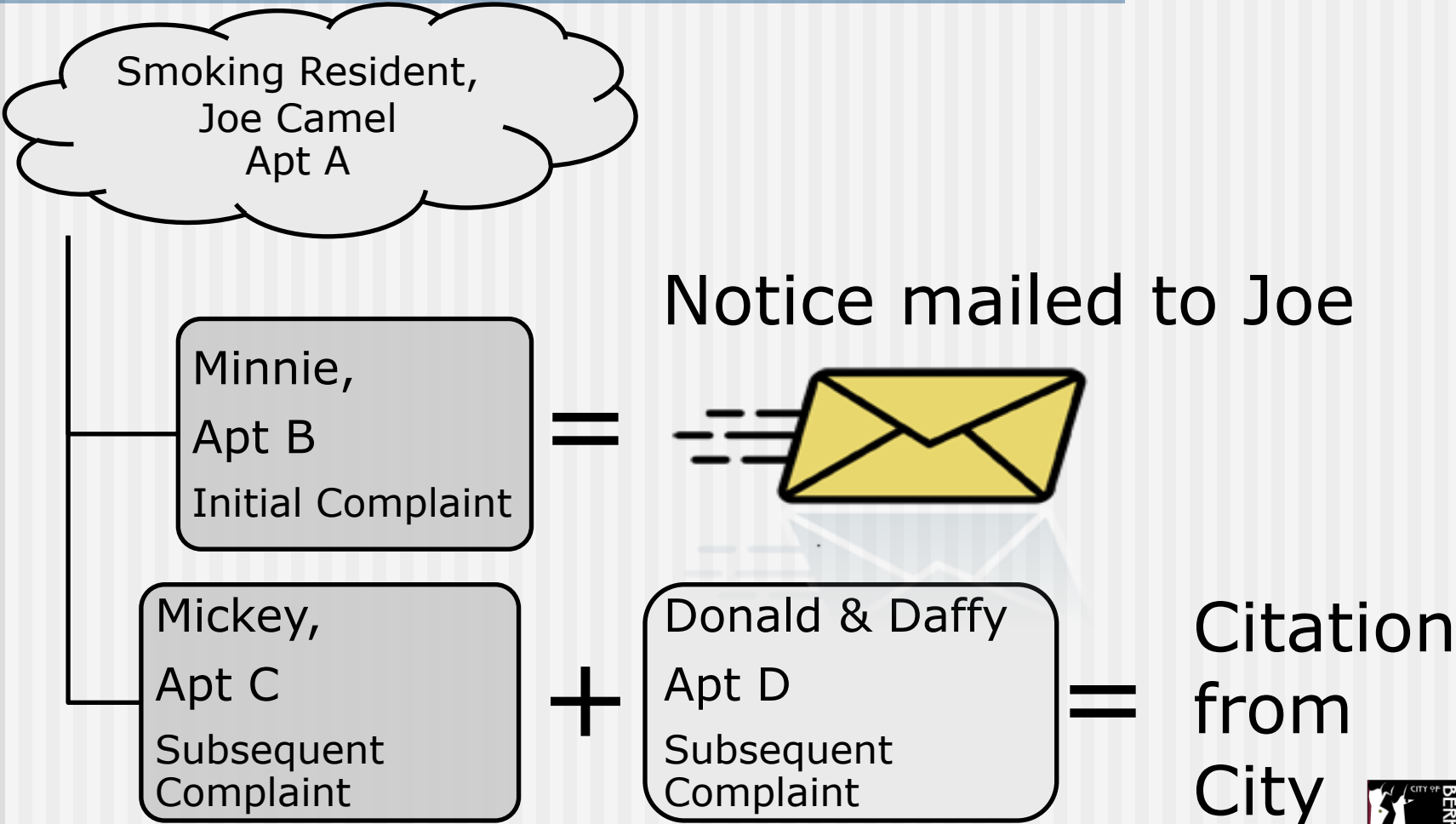
# Tobacco Free Multi-Unit Housing City Enforcement Details

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1. City receives complaint of violation of non-smoking ordinance from resident of multi-unit housing
  - City issues notice/education to the responsible person
2. 2 residents in 2 separate units file complaints within 6 months of prior notice
  - City issues infraction or administrative citation



# Tobacco Free Multi-Unit Housing City Enforcement Example



# Tobacco Free Multi-Unit Housing **Implementation**

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- Increased cessation services:  
July 1, 2013-December 31, 2016
- Outreach/education:  
January 1, 2014-December 31,  
2016
- Sample lease language provided  
to property owners





# Tobacco Free Multi-Unit Housing

## Previous Council Considerations

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In previous meetings Council considered but did not recommend:

- Mandating Mediation
- Defining smoking as a nuisance
- Requiring registry of units with non-smoking lease clauses
- Prohibiting medical cannabis smoking



# Tobacco Free Multi-Unit Housing

## Previous Ordinance Proposals

- Mandating disclosure of units without non-smoking lease clause
- Allowing new tenants to break lease without penalty if landlord fails to include non-smoking clause or notify of “smoking” units

These provisions no longer necessary because:

- ◆ Smoking prohibited in all units
- ◆ City responsible for enforcement



# Tobacco Free Multi-Unit Housing

## Summary Of Ordinance

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- Smoking prohibited in **ALL** units and common areas of multi-unit residences
- Enforcement Remedies/Tools:
  - 1) City enforcement in response to complaint
  - 2) Lease Clause
    - a) Initial Leases-Mandatory non-smoking lease clause
    - b) Existing Leases-Voluntary non-smoking lease addendum

