



## MI Smoke-Free Apartment



### Smoke-Free Multi-Unit Housing: Changing the Landscape of Michigan & America

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## MI Smoke-Free Apartment

### Presenter

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## MI Smoke-Free Apartment

### What we'll cover:

#### Smoke-Free Multi-Unit Housing: Changing the Landscape of Michigan & America

- What's happened in the last decade & where are we today?
- Smoke-free: it's legal, profitable, good for resident's health, & HUD encourages it
- How to go smoke-free & enforce it



## MI Smoke-Free Apartment

### Smoke-free apartments in 2000?

- Two PHAs had smoke-free policies
- Virtually no smoke-free apartments could be found in the U.S. in private or public housing
- Most apartment owners & many HUD officials thought it was illegal to have a smoke-free policy
- Many newspapers thought it was illegal to allow ads saying "no smoking" or "SF"
- Most tenants didn't realize they had some rights to smoke-free housing

### 2010: Market-rate housing

Hundreds of thousands of units of market-rate housing are smoke-free all across Michigan and the U.S.

Includes large, multi-state companies, moderate sized companies, small companies, and single-family home rentals.

### 2010: Other affordable housing

Tens of thousands of units of affordable housing are smoke-free all across Michigan and U.S.

Includes apartment buildings owned by for-profit and non-profit entities, as well as local governments and tribes.

### 2010: Smoke-Free Housing Authorities

**August 31, 2010:** about 200 housing authorities in 27 states.

**Dec. 31, 2004:** about 15 housing authorities in 7 states had smoke-free policies for some or all their buildings.

**An increase of over 1,300% in 68 months.  
Over 2.7 new housing authorities per month**

### 2010: Smoke-Free Michigan Housing Commissions

**August 31, 2010:** 44 housing commissions have smoke-free policies; ranging from small to the largest, & including one tribal PHA.

**June 30, 2005:** No Michigan housing commission had a smoke-free policy.

**About 1/3 of Michigan PHAs are smoke-free.**



Are you or a loved one ready to make the move to convenient, low-maintenance housing? Comfortable apartments, duplexes, and quadraplexes are perfect for seniors, near elderly and those dealing with disabilities. **Our facilities offer a number of favorable features and amenities, including:**

- \* 24 hour emergency maintenance
- \* Secure units with extra safety precautions
- \* Conveniently located near grocery stores, medical offices, & area churches
- \* Spacious Parking
- \* Carpeted Units with Curtain Rods provided
- \* Kitchen stove and refrigerator provided
- \* Barrier Free Units
- \* Laundry Facilities or Laundry Hook-up
- \* Emergency Call System in Each Unit
- \* Hard-wired smoke detectors provided
- \* Cable T.V. at a Reduced Rate
- \* Lovely Community Room with Kitchen Facilities
- \* Patio & Container Gardening space
- \* **Smoke-free buildings for senior & disabled housing**



## Grand Rapids Housing Commission: All GRHC apartments are smoke free!

### Campau Commons

821 South Division Ave.  
Grand Rapids, Michigan  
92 units

Serving families, senior citizens  
and the disabled



### ADAMS PARK APARTMENTS

1440 Fuller Ave. SE  
Grand Rapids, Michigan

188 units  
Serving ages 62 and older, and disabled  
adults



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### What's the problem?

### Secondhand smoke spreads throughout multi-unit dwellings:

Air quality studies in apartment buildings show that anywhere from 5% to 60% of the air in apartment units comes from other units in the building.

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### Secondhand smoke problem

**Secondhand smoke cannot be controlled by ventilation or air cleaning:** On June 30, 2005, the American Society of Heating, Refrigerating & Air-Conditioning Engineers (ASHRAE) issued their latest position document on secondhand smoke. It states: "At present, the only means of effectively eliminating health risk associated with indoor exposure is to ban smoking activity." [www.ashrae.org](http://www.ashrae.org)


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## Secondhand smoke problem

- It is a **Toxic Air Contaminant**, putting secondhand smoke in the same category as the most toxic automotive and industrial air pollutants.

California Air Resources Board Report, issued January 26, 2006 by the California Environmental Protection Agency.



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## Secondhand smoke problem


- There is no risk-free level of exposure to secondhand smoke. Breathing even a little secondhand smoke can be harmful.
- The only way to fully protect yourself and your loved ones from the dangers of secondhand smoke is through 100% smoke-free environments.

Surgeon General's Report on Secondhand Smoke, issued June 27, 2006


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Landlords

Where there's smoke, there can also be a smoke-free apartment. How you can make it happen.



## % of Nonsmoking Population Exposed to Secondhand

Exposure to secondhand smoke (SHS) by nonsmokers aged 3 and over has decreased from 88% in 1988-91. In 1999-2000, 52% of nonsmokers were exposed to SHS. In 2007-08, 40% of nonsmokers were exposed to SHS. Much of this exposure is in the home, especially for children.

HOWEVER, low income persons are exposed at much higher rates:

	1999-2000	2007-08
Below poverty level:	71.6%	60.5%
At/above poverty level:	48.8%	36.9%

*Nonsmokers' Exposure to Secondhand Smoke – United States, 1999-2008*  
Report from the Centers for Disease Control & Prevention  
Morbidity & Mortality Weekly Report September 7, 2010


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## Why smoke-free public housing?

- It's legal & HUD strongly encourages it
- Cost savings are significant
- Fire risk and damage reduced
- Health risks of secondhand smoke
- Secondhand smoke cannot be controlled
- Tenants want smoke-free apartments






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## Smoke-Free Policies are Legal

- Smoke-free policies are legal in HUD public housing, HUD-subsidized and other affordable housing, as well as in market-rate housing. *That is: in all housing.*
- Neither federal nor state law prohibits an owner from making their apartment building totally smoke-free.


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## Smoke-Free Policies are Legal

- As the HUD letters have stated:  
*"The right to smoke or not to smoke is **not a right that is protected under the Civil Rights Act of 1964** because smokers are not a protected class under federal law."*



U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Office of Healthy Homes and Lead Hazard Control

**SPECIAL ATTENTION OF:** Regional Directors; State and Area Coordinators; Public Housing Hub Directors; Program Center Coordinators; Troubled Agency Recovery Center Directors; Special Applications Center Director; Public Housing Agencies; Resident Management Corporations; Healthy Homes Representatives

**NOTICE: PHH-2009-21 (HA)**  
 Issued: July 17, 2009  
 Expires: July 31, 2010  
 Cross Reference:  
 24 CFR 903.7(b)(3)  
 24 CFR 903.7(e)(1)

Subject: Non-Smoking Policies in Public Housing

1. **Purpose.** This notice strongly encourages Public Housing Authorities (PHAs) to implement non-smoking policies in some or all of their public housing units. According to the American Lung Association, cigarette smoking is the number one cause of preventable disease in the United States. The elderly and young populations, as well as people with chronic illnesses, are especially vulnerable to the adverse effects of smoking. This concern was recently addressed by the Family Smoking Prevention and Tobacco Control Act, P.L. 111-31, signed by the President on June 22, 2009. Because Environmental Tobacco Smoke (ETS) can migrate between units in multifamily housing, causing respiratory illness, heart disease, cancer, and other adverse health effects in neighboring families, the Department is encouraging PHAs to adopt non-smoking policies. By reducing the public health risks associated with tobacco use, this notice will enhance the effectiveness of the Department's efforts to provide increased public health protection for residents of public housing. Smoking is also an important source of fires and fire-related deaths and injuries. Currently, there is no Departmental guidance on smoking in public housing.

2. **Applicability.** This notice applies to Public Housing.

3. **Background.** Secondhand smoke, which is also known as environmental tobacco smoke (ETS), is the smoke that comes from the burning end of a cigarette, pipe or cigar, and the smoke exhaled from the lungs of smokers. ETS is involuntarily inhaled by nonsmokers, and can cause or worsen adverse health effects, including cancer, respiratory infections and asthma. The 2006 Surgeon General's report on secondhand smoke identifies hundreds of chemicals in it that are known to be toxic. The report (*The Health Consequences of Involuntary Exposure to Secondhand Smoke*) is located at [www.ehponline.org/docs/2006/06/20060601](http://www.ehponline.org/docs/2006/06/20060601). Secondhand smoke causes almost 50,000 deaths in adult non-smokers in the United States each year, including approximately 3,400 from lung cancer and another 22,000 to 69,000 from heart disease.

Secondhand smoke exposure causes disease and premature death in children and adults who do not smoke according to the U.S. Environmental Protection Agency (EPA) [www.epa.gov/smokefree/healtheffects.html](http://www.epa.gov/smokefree/healtheffects.html).

# Leading Our Nation to Healthier Homes:

## The Healthy Homes Strategic Plan





U.S. Department of Housing and Urban Development  
Office of Healthy Homes and Lead Hazard Control







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### Costs of allowing smoking

**Smoking damages residential property:**

- Causes cigarette burn damage and stench to carpets, counters, etc
- Leaves smoke residue on walls and curtains
- Poses fire hazard



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### Costs of allowing smoking

**Smoking residue increases cost of rehabilitating apartment when smoker moves out.**

Owners estimate it costs \$500 to \$8,000 more to rehab an apartment in which a smoker lived than a non-smoker.



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### Cigarette-caused Fires

**Nationally:**

- Smoking was the cause of just 9% of apartment fires, but
- Smoking was the cause of 40% of deaths from apartment fires, and
- Smoking was the cause of 16% of injuries from apartment fires

NFIRS, 2002



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### Tenants want smoke-free apts

- Sault Tribe survey of housing authority residents in December, 2008 found 70% of respondents preferred to live in smoke-free housing. The % of residents who smoke or live with a smoker was 44%, so clearly even some smokers preferred smoke-free housing.
- Healthy Androscoggin in Auburn, Maine surveyed 850 tenants; 76% would choose to live in a smoke-free apartment complex
- Twin Cities (MN): random sample survey -- 55% of renters said they had moved or would move from an apartment because of secondhand smoke seepage

For opinion surveys: [www.tcsg.org/sfelp/public.htm](http://www.tcsg.org/sfelp/public.htm)

## Sault Tribe is first Michigan tribe to establish smoke-free tribal housing



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### Smoke-free Households Are the Norm and Increasing

**In 2005, 82% of Michigan adults said no one had smoked in their home in last 7 days**  
-- 2005 Michigan Adult Tobacco Survey

**In 2003, 72% of U.S. households were SF**

**In 1998, 60% of U.S. households were SF**

**In 1992, 43% of U.S. households were SF**  
-- Morbidity & Mortality Weekly Report - May 25, 2007

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### The market for smoke-free housing is huge

**The market for smoke-free housing is huge**

About 80% of adults don't smoke

Over 90% of persons 65+ don't smoke

Many smokers don't want smoke in home

***Most apartment buildings allow smoking -- the marketplace is way behind demand***

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### Economics: Market is there

**The market for smoke-free housing is huge, regardless of income level**

Almost 70% of people in MI households with incomes under \$20,000 don't smoke

About 75% of people in MI households with incomes between \$20,000 & \$75,000 don't smoke

Over 87% of people in MI households with incomes over \$75,000 don't smoke  
-- 2005 Michigan BRFSS Estimates


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 Marketplace is changing

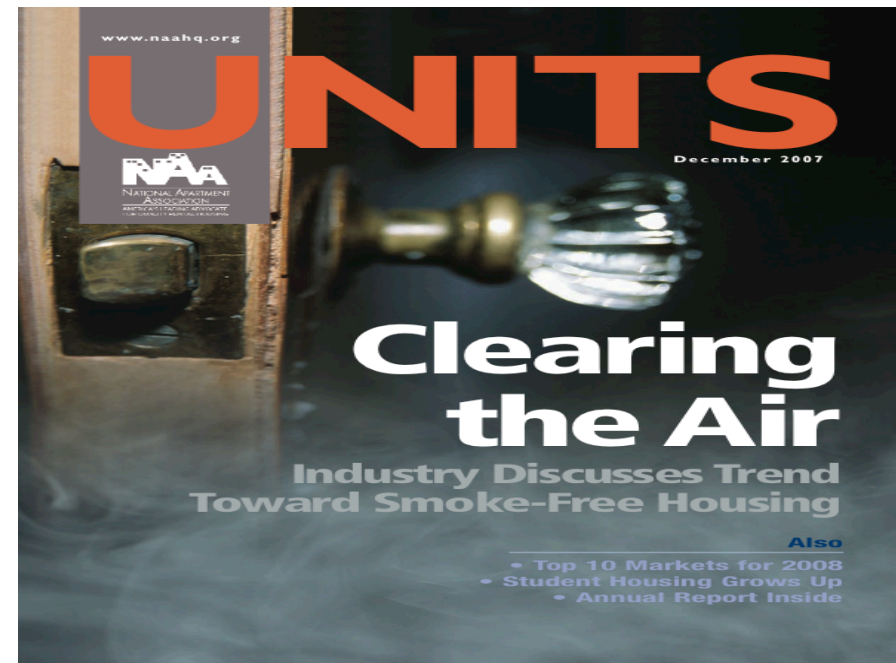
Multi-unit housing associations & their publications are focusing on the benefits of smoke-free policies:

NAA and NMHC policy memos, Feb., 2008

UNITS magazine, Dec., 2007

Assisted Housing Management Insider, March, 2007

MultiFamily Executive, Nov., 2006




**MI Smoke-free Apartment**  
 Marketplace is changing

- Online apartment listing companies are adding “smoke-free” as an amenity item on their listings, e.g., RentLinx
- “Smoke-free” is becoming more common as an amenity item in marketing by apartment owners/managers

**MI Smoke-free Apartment**



Where there's smoke, there can also be a smoke-free apartment. How you can make it happen.

**Tenants' Rights**  
 Your Resources  
 - Smoke Free Apartment Listing  
 - Useful Links  
 - Quick Fixes  
 Did You Know  
 Contact Us



**Your Resources**  
Smoke-Free Apartment Living

**Find a Smoke-Free Apartment**  
 Use the form below to search for smoke-free rental housing in Michigan.  
 Location:   
(city, zip code or exact address)  
 Min Bedrooms:  Any Number  
 Max Rent:   
 Keywords:   
 Amenities: ☒ Smoke Free  
☐ Dogs Allowed  
☐ Cats Allowed

**List a Smoke-Free Apartment**  
 Property managers, list your smoke-free rental housing on our website for free. Our apartment listing is powered by RentLinx, the Rental Housing Multi-List.  

- Instructions to list your smoke-free property

**Smoke-Free Apartment Listing**  
 The following is a listing of Michigan rental properties whose owners have stated that they are entirely smoke-free dwellings. This listing is updated regularly, with new smoke-free rental units added almost weekly.





Medallion Management, Inc.

We Are a Family of Companies Serving the Needs of Families

## Medallion Management

834 King Highway, Suite 100  
Kalamazoo, MI 49001  
Phone: (269) 381-0350  
Fax: (269) 381-3609



### Smoke-Free Properties:

Galesburg Village Apartments  
Grandview Apartments  
Augusta Green Apartments



## KMG Prestige

Main Office  
102 South Main Street  
Mount Pleasant, Michigan 48858  
989 772-3261

### Smoke-Free Properties:

Pheasant Run Apartments  
West Bridge Apartments  
Bayberry Farms  
The Cottages at Bayberry Farms  
University Meadows  
Riverwalk Meadows  
Summerview  
Trumbull Crossing



*More Than A Place to Live...  
A Community.*

## Jewish Apartments & Services

15000 W. Ten Mile Road  
Oak Park, MI. 48237  
Phone: 248.592.1102

All properties smoke-free;  
over 800 units.



The Village of Bethany Manor  
Senior Living Community  
Presbyterian Villages of Michigan







### First Centrum

21400 Ridgetop Circle, Suite 250  
Sterling, VA, 20166  
Phone: (703) 406-3471  
Contact: Rob Couch, President

**All buildings smoke-free.**  
**Over 50 smoke-free**  
**buildings in 7 states; about**  
**20 in Michigan.**



### CHERRY CREEK VILLAGE

#### **Smoke-Free Properties:**

Cherry Creek Village,  
Marquette  
Other buildings in Upper  
Peninsula and Wisconsin

### Lutheran Social Services of Wisconsin and Upper Michigan, Inc.

647 West Virginia Street  
Milwaukee, Wisconsin 53204  
Telephone: 414-281-4400  
E-Mail: [info@lsswis.org](mailto:info@lsswis.org)



*Affordable Housing for  
Older Adults*



### Heritage Senior Communities

Heritage Property Management  
950 Taylor Avenue  
Grand Haven, MI 49417  
Phone: 616-846-4700  
Fax: 616-842-8939  
Email:  
[info@heritageseniorcommunities.com](mailto:info@heritageseniorcommunities.com)

**Smoke-Free Properties:**  
Village at Appledorn, Holland  
Village at Park Terrace,  
Muskegon



### WARREN PLAZA

### Preservation Management

707 Sable Oaks Drive  
S. Portland, ME 04106

Office: (207) 774-0501  
Office: (888) 553-2020

**Smoke-free MI properties:**  
Warren Plaza, Detroit




## APS Properties



APS Properties is dedicated to providing quality apartments for NMU students at affordable rental rates since 1977. All of our locations have a very close proximity to the campus of Northern Michigan University--- Location, Location, Location. We are the only apartment company that provides FREE wireless internet at all our locations and the first to provide the absolute best in secure online payment convenience.

Some important things to know about the lease are:

- \* Most leases are written for 12 months
- \* Pets are not permitted
- \* **APS promotes a smoke free environment**
- \* We highly recommend that tenants obtain renters insurance!

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**Steps to Take to Adopt a Smoke-Free Policy**

1) Survey Residents:

- a) Determine which units have smoking & nonsmoking tenants.
- b) Ask tenants if they would like to live in a smoke-free building, and identify which buildings have the most tenants who want a smoke-free policy.
- c) Evaluate tenants' overall views about exposure to secondhand smoke.

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**Steps to Take to Adopt a Smoke-Free Policy**

2) Develop a plan of action:

- a) Hold a meeting of all tenants to discuss the survey results and to discuss plans to establish a smoke-free policy in some or all buildings.
- b) Use the meeting to do a presentation on the health hazards of secondhand smoke.
- c) Select the building(s) that will implement the smoke-free policy first, and select the timing for the policy and what the grandfather period will be, if any.

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**Steps to Take to Adopt a Smoke-Free Policy**

3) Establish date for Housing Commission Board to discuss and vote on policy:

- a) Discuss policy with Commission members and determine their views.
- b) If a majority of Commissioners support smoke-free policy, set date for Board meeting.
- c) Notify all tenants of Board meeting and intention to discuss and vote on smoke-free policy, following tenant comment period.

## Steps to Take to Adopt a Smoke-Free Policy

### 4) Adopt and implement policy:

- a) Following tenant and other discussions, vote to adopt smoke-free apartment policy.
- b) In policy, decide on the length of the grandfather period for current smokers, if any.
- c) In policy, decide whether there will be an outside designated smoking area and where.
- d) Establish time frame for implementation and notify all tenants.

## Transitioning to Smoke-Free

- To implement a smoke-free policy in a multi-unit dwelling where smoking residents already reside:
  - Establish a date on which all new residents must not smoke inside
  - Decide how much time current resident smokers will have before their lease will include the smoke-free requirement, i.e., grandfathering

## Adopt New Lease Language

- To implement a smoke-free policy in a multiunit dwelling:
  - Add smoke-free provisions to the leases for apartment complexes or to the “house rules” in Public Housing Authority buildings

## Enforcement of Smoke-Free Policies

- Private and public multi-unit owners uniformly report that enforcement is not an issue
- Residents consistently follow the rule
- Violators of the smoke-free rule are most likely to be violators of other rules
- Eviction possible; rarely, if ever, occurs



## MISmoke-free Apartment

### You Have Resources Online

**MISmokeFreeApartment web site:**  
[www.mismokefreeapartment.org](http://www.mismokefreeapartment.org)

**Smoke-Free Environments Law Project site:**  
[www.tcsg.org/sfelp/home.htm](http://www.tcsg.org/sfelp/home.htm)

**SFELP Apartments site:**  
[www.tcsg.org/sfelp/apartment.htm](http://www.tcsg.org/sfelp/apartment.htm)

**SFELP Condominium site:**  
[www.tcsg.org/sfelp/condos.htm](http://www.tcsg.org/sfelp/condos.htm)



*Your have resources online:*

#### **Tobacco Control Legal Consortium site**

<http://tclconline.org>

Infiltration of Secondhand Smoke Into Apts & Condos

<http://tclconline.org/documents/infiltration.pdf>

There Is No Constitutional Right to Smoke

<http://tclconline.org/documents/constitutional-right.pdf>

The Americans with Disabilities Act: Effective Legal Protection Against Secondhand Smoke Exposure

<http://tclconline.org/documents/Douglas.pdf>



## MISmoke-free Apartment

### Smoke-free Apartment Decal



**Welcome to Our SmokeFree Building**

**All Apartments are Smoke-Free!**





*Parkside Commons*  
Apartment Homes

Parkside Plan  
 Apartment Features  
 Amenities  
 100% Smoke Free

*Chelsea's Read Blog*

### 100% smoke-free environment

The demand for smoke-free environments is rising, and Parkside is listening.

Parkside Commons will be a **100% smoke-free environment**, making it one of Massachusetts' premier smoke-free rental communities, inside and out. Smoking is banned in all common areas, on the grounds, and in the apartments themselves. Why 100%? Cigarette smoking is hazardous to your health and it's the number one preventable cause of death. Second-hand smoke can be just as deadly. Cigarette smoke and its very noticeable odor travels farther than most of us realize, permeating rooms and getting into walls, ceilings, carpeting, drapes and clothing. At Parkside, you have a right to fresh and pure air.

Parkside welcomes residents who care about themselves. Our non-smoking policy is simply another way to support our commitment to creating a clean, healthy, active community for all.

