



**Smoke-Free  
Recognition Program  
for Apartment  
Communities**

<http://breatheeasygahomes.org/>



Apartment communities in Georgia can now become recognized as smoke-free communities. There are three levels of recognition: Gold, Silver and Bronze.

If you don't already have a smoke-free policy, BreatheEasy Georgia Homes is here to provide you with resources and support for making this important transition, including sample smoke-free policy language, resident surveys and lease addenda.

Once you adopt the level of smoke-free policy that is right for your community and residents (or if you already have a policy in place), you can easily submit your application for BreatheEasy recognition to [info@BreatheEasyGAhomes.org](mailto:info@BreatheEasyGAhomes.org). Your community will receive a certificate and window clings to display in your leasing office and will be recognized on our website for prospective residents seeking a smoke-free home.

## Get recognized for making your apartment community smoke-free!

There are three levels of recognition:



**GOLD:** Smoking is prohibited everywhere on the property, including in apartment units AND in any and all indoor amenities AND everywhere outdoors.



**SILVER:** Smoking is prohibited everywhere on the property except for designated smoking areas located at least 25 feet from all buildings and amenities.



**BRONZE:** Smoking is prohibited in apartment units AND in any and all indoor and outdoor amenities.



# Get Recognized!



# BreatheEasy Georgia Smoke-free Recognition Program

## Recognition Application



Thank you for your interest in BreatheEasy Georgia Smoke-Free Recognition and your commitment to providing a healthy environment for your residents and staff.

Complete this application and the supporting documents checklist. Return the application, checklist, and all applicable supporting documents through one of the following options:

- Email to: [info@breatheeasygahomes.org](mailto:info@breatheeasygahomes.org)
- Mail to: Tobacco Program Manager, Chronic Disease Section 16<sup>th</sup> Floor, 2 Peachtree Street, Atlanta GA 30303

### Indicate your Smoke-Free Recognition Level:

- ☐ **Gold:** Breathe easy everywhere: No smoking throughout the entire community.
- ☐ **Silver:** Breathe easy where you live and play: No smoking anywhere except in designated areas 25 feet from buildings and amenities.
- ☐ **Bronze:** Breathe easy in your home: No smoking inside units and indoor and outdoor common areas.

Property Name\*: \_\_\_\_\_ Management Company: \_\_\_\_\_

Property Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Zip Code: \_\_\_\_\_ Property or Company website: \_\_\_\_\_

Mailing address (if different from rental property address): \_\_\_\_\_

Date of Policy Adoption: \_\_\_\_\_ Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

We plan to list all recognized properties on the BreatheEasy website (using the address and website provided above).

If you do **NOT** want to be listed, check here: ☐ Opt Out

How did you hear about the BreatheEasy Georgia Recognition Program?

- ☐ Colleague ☐ Apartment Association ☐ Department of Public Health ☐ Internet search ☐ Other: \_\_\_\_\_

\* If you have multiple smoke-free properties and would like to submit a single application, email [info@breatheeasygahomes.org](mailto:info@breatheeasygahomes.org)

*For more information, please visit <http://breatheeasygahomes.org/>*

# BreatheEasy Georgia Recognition Checklist



*To apply for BreatheEasy Georgia Smoke-Free Recognition, submit copies of documentation that support your level of smoke-free policy (Gold, Bronze, or Silver). Use this checklist to ensure your application is complete, and be sure to highlight relevant portions of your documents to expedite the application process.*

## **Copy of LEASE, CONTRACT, and/or POLICY prohibiting RESIDENTS, GUESTS, and EMPLOYEES from smoking:**

- ☐ In apartment units AND in any and all indoor and outdoor amenities (**BRONZE level**)
- ☐ Anywhere on the property except for designated smoking areas at least 25 feet from all buildings and amenities (**SILVER level**)
- ☐ Anywhere on the property, including in apartment units AND in any and all indoor amenities AND anywhere outdoors (**GOLD level**)

## **Document(s) must:**

- ☐ Contain a statement that prohibits residents, guests, and employees from smoking in areas designated by the level of recognition you are seeking.
- ☐ Contain a statement that violation of this policy includes potential lease/contract termination.
- ☐ Be typed and printed as an official document (e.g., on company letterhead).
- ☐ Use language that is free of spelling and grammatical errors.

## **EMAIL documents to:**

**info@breatheeasygahomes.org**

Subject Line: BreatheEasy

Recognition [apartment name]

For more information, please visit <http://breatheeasygahomes.org/>

This checklist was adapted from the Florida Apartment Association Smoke-Free Certification

# Why Smoke-Free?





# SMOKE-FREE HOUSING

Lessons from Apartment Communities in Georgia with Smoke-Free Policies



## WHY?

We asked apartment owners and managers:

### Why did you adopt a smoke-free policy?



#### Health

*"...you're putting others at risk, when you're connected to others in an apartment type setting, it's your choice to smoke, but it's not your neighbor's choice to smoke."*



#### Cost

*"..and it also cost us a lot of money to go into units after a smoker's been in there. You have to clean walls, prime, paint... It's costly, but it also prevents us from being able to rent it out quickly."*



#### Fire

*"...and we've had lots – we've had several issues with smokers who fell asleep, caught stuff on fire. It's a huge safety thing."*



#### Best Practices

*"We received the smoke-free tool kit ...So we decided that we would go ahead and try it."*



Secondhand smoke can drift through buildings and units and may cause cardiovascular disease, lung cancer, sudden infant death syndrome, or harm children (ex. ear infections and asthma attacks).



Units that have been smoked in cost 2-3 times more to clean and turn-over.



Apartment fires caused by smoking are the leading cause of fire-related deaths and cause about \$173 million in property damage a year.



More and more properties are going smoke-free, and more residents request it. Learn best practices at BreatheEasy GA Homes!

IN FACT...



### RESIDENTS

#### How did residents react?

While some residents complained, many were supportive or didn't care. Involving residents in the discussion and explaining the reasoning for the policy can help address concerns.

#### Do they follow the policy?

Engaging residents early, giving advance notice and reminders (such as signage), and a clear, written policy that is consistently enforced all helped with compliance.



### BENEFITS

#### Cleanliness

*The property is cleaner. We don't have cigarette butts everywhere...and then we don't have trash, as a result.*

#### Healthier Residents

*So with us implementing the smoking policy helped them to stop smoking or not smoking so much – you know, it helps them out medically and they're healthier*

#### Healthier Staff

*Our staff, we have fewer and fewer staff who smoke, and that's helpful from [our] side, from health insurance and just good health of the employees.*



*It's cut down maintenance costs, and then we can turn over the units a lot more quickly, and I think it's just – I think it's been a whole positive thing*

#### Time and Money

**BREATHEASYGAHOMES.ORG**

This work was conducted by the Emory Prevention Research Center as part of their Smoke-Free Homes Project, supported by the National Cancer Institute's State and Community Tobacco Control Research Initiative, Grant Number U01CA154282.

BreatheEasy Georgia is funded in part by Emory's Winship Cancer Institute

# TOBACCO USE AND SECONDHAND SMOKE EXPOSURE IS HIGH IN MULTIUNIT HOUSING



- About **80 million (1 in 4) people** in the US live in multiunit housing, such as apartments.
- Many who live in public housing are especially affected by secondhand smoke, **including children, the elderly, and people with disabilities.**
- About **8 in 10** multiunit housing residents choose to make their own homes smoke-free.
- About **20 percent** of adults in multiunit housing use combustible tobacco products, which are a source of secondhand smoke ex-



Among multiunit housing residents with smoke-free home rules, **34 percent** report that secondhand smoke involuntarily enters their homes from somewhere else in or around the building.

There is **no safe level** of **secondhand smoke exposure**



Secondhand smoke can travel within multiunit housing and common areas through doorways, cracks in walls, electrical lines, ventilation systems and plumbing.



Opening windows and using fans does not completely remove secondhand smoke



Heating, air conditioning, and ventilation systems cannot eliminate exposure to secondhand smoke.

# The Cost of Smoking in Multi-Unit Housing



*Secondhand smoke can be very damaging to both the health of the resident and the building. Adopting a smoke-free policy helps to protect the health of the residents and value of the building.*

## How can secondhand smoke damage property?

Smoking in an apartment unit or condo residence can cause the following *significant* property damage:<sup>1</sup>

- Sticky residue on the wall, carpets, upholstery with brownish discoloration
- Stale odor in porous surfaces like carpets
- Burn marks in carpets, countertops, and other surfaces
- Sink blockage from cigarette ashes
- Damage to air filter and ventilation system
- Fire hazard



*Secondhand smoke residue is obvious after pictures are removed*

**How much can secondhand smoke damage cost?** Because of the residue and odor left behind, property managers have reported that it often costs two to three times more to clean up and turnover a unit that has been smoked in compared to a smoke-free unit.<sup>2</sup> In heavily smoked-in units, items like flooring, countertops and appliances need to be replaced in addition to extra coats of paint and general cleaning costs.

	Non-Smoking	Light Smoking	Heavy Smoking
General Cleaning	\$240	\$500	\$720
Paint	\$170	\$225	\$480
Flooring	\$50	\$950	\$1,425
Appliances	\$60	\$75	\$490
Bathroom	\$40	\$60	\$400
<b>total</b>	<b>\$560</b>	<b>\$1,810</b>	<b>\$3,515</b>

Data reflects surveys from housing authorities and subsidized housing facilities in New England.

Collected and reported by Smoke-Free Housing New England, 2009. This information is courtesy of the National Center of Healthy Housing.

## References

1. Winickoff, J., J. Friebely, S. Tanski, C. Sherrod, G. Matt, M. Hovell, and R. McMillen. "Beliefs About the Health Effects of 'Thirdhand' Smoke and Home Smoking Bans." *Pediatrics* 2009; 123e74-e79.
2. Smoke-Free Housing Coalition of Maine. "Myth vs. Reality." N.p., n.d. Web. Jan. 2012.

For more information, please visit  
<http://breatheeasygahomes.org/>

This was adapted from the Live Smoke Free Program of Minnesota, [www.mnsmokefreehousing.org](http://www.mnsmokefreehousing.org)

# How To Do It





# SMOKE-FREE HOUSING

Lessons from Apartment Communities in Georgia with Smoke-Free Policies



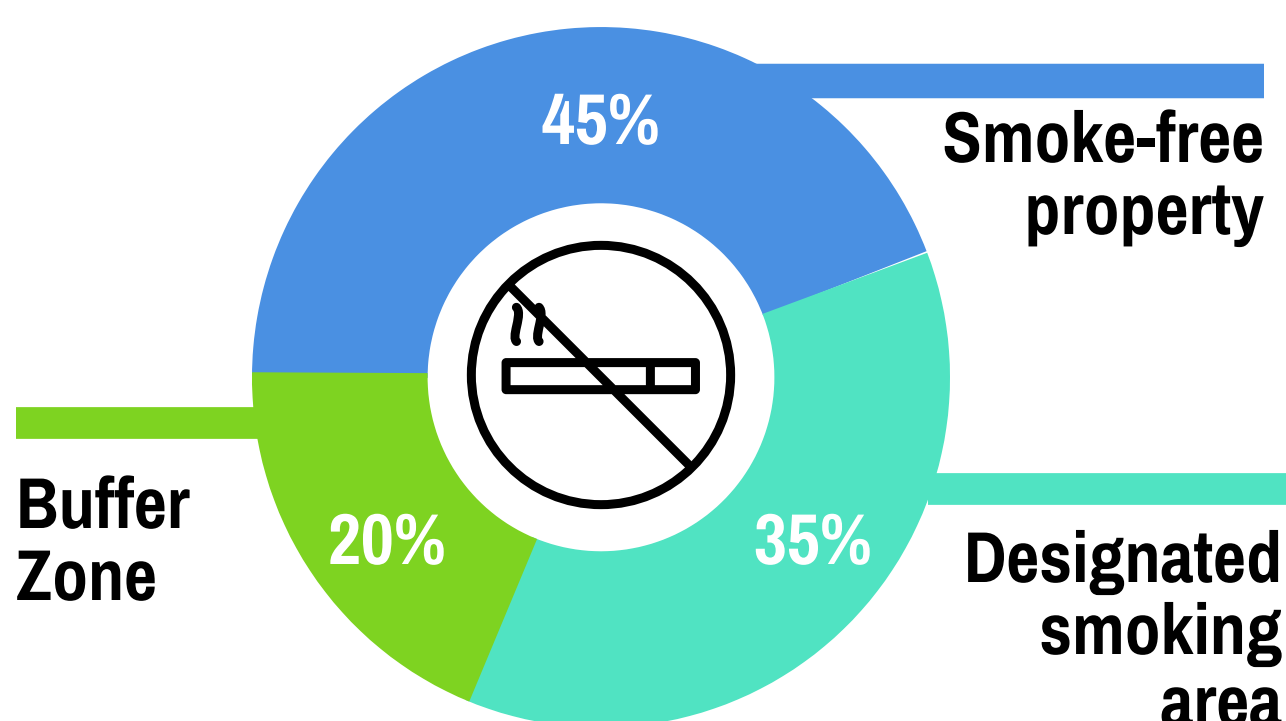
## HOW?

### Decide policy details

1

**Smoke-free property?  
Buffer zone or  
designated area?  
E-cigs included?**

People we talked to  
with BreatheEasy level  
policies had:



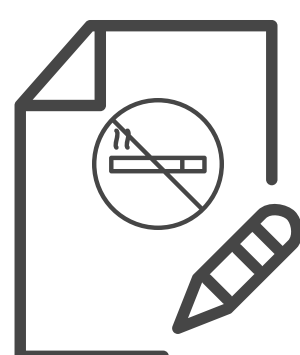
Additionally: Almost 40% prohibited e-cigs and a third involved residents in the decisions

*"We thought what will we designate... and how could we monitor it and ...have the manpower to monitor...so that's when we said...just make the entire property [smoke-free]"*

### Adopt the policy

2

**Include policy  
in a signed  
agreement**



**Visit [breatheasygahomes.org](http://breatheasygahomes.org) to:**

See sample policy language  
Get sample lease addenda  
Apply for smoke-free recognition!

*"But we did run all this by [our legal department], just to make sure – are we covering our bases, are we using any wording that we shouldn't be using,... does it meet... local and federal requirements..."*

**BREATHEASYGAHOMES.ORG**

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# SMOKE-FREE HOUSING

Lessons from Apartment Communities in Georgia with Smoke-Free Policies

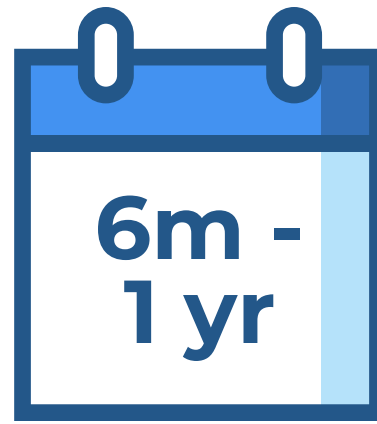


## Notify residents

3

**Give plenty of notice**

People we talked to gave:



**advance notice**  
at meetings or lease renewals

*"The whole success of our program... is communication. Tell them in plenty of time to let them know... They knew a year in advance that they were going to go no smoking."*

## Enforce the policy

4

**Treat it like any other rule**



- > Make consequences clear
- > Post signage that is clear to residents, their guests, and staff
- > Incorporate it into regular inspections

*"..when a maintenance mechanic goes into an apartment to fix something, then they can report back to the property manager if they're... smoking cigarettes in here."*

## Get Recognized!



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**Go to [BreatheEasyGAHomes.org](http://BreatheEasyGAHomes.org) or mail in the application postcard to get recognized as a BreatheEasy property!**

**Support your residents who want to quit:  
1-877-270-STOP**

**[BREATHEASYGAHOMES.ORG](http://BREATHEASYGAHOMES.ORG)**

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## Smoke-free policies are legal

Currently, there is no law in Georgia and no federal law that prohibits smoke-free policies in apartment communities or multiunit housing. A building owner/manager can legally make a rental building (or entire property) completely smoke-free.



In fact, going smoke-free may protect you from liability.

**Common Law Theories.** These are ways a resident may bring legal action against a housing provider or against residents who smoke under common law. These theories include:

- Breach of the covenant of quiet enjoyment
- Negligence
- Nuisance
- Breach of warranty of habitability
- Battery
- Intentional infliction of emotional distress
- Trespass
- Constructive eviction

**Americans with Disabilities Act and Fair Housing Act.** Non-smoking residents who are afflicted with breathing disorders may be able utilize the Americans with Disabilities Act and/or the Fair Housing Act to bring legal action against landlords for not making reasonable accommodations to protect these residents from secondhand smoke in common areas or in their apartments.

**Other Possible Legal Action.** Violation of State and Local Building Codes. Violation of State Sanitary Codes.

*This fact sheet is provided as a public service and is not intended as legal advice. Please consult an attorney before implementing a smoke-free policy.*

*For more information, please visit  
<http://breatheeasyqahomes.org/>*

*This material was adapted from [www.mismokefreeapartment.org](http://www.mismokefreeapartment.org)*

# Enforcing your Smoke-free Policy



## First, take action to PREVENT problems:

- **Include “Smoke-free” in advertisements and listings.**
- **Spell out the terms of your smoke-free policy in the lease agreement.** Make it clear that it includes residents and guests. Include a clause making residents financially responsible for returning the unit back to its original condition if they violate the policy by smoking in their units.
- **Communicate clearly.** Post signs in the building and throughout the property.
- **Visit the properties regularly and perform inspections.** Look for signs of smoking (ashtrays, burn marks, stains). Document where tobacco odors are present inside the building.
- **Link smokers ready to quit with free counseling services** of the Georgia Tobacco Quit Line 1-877-270-STOP (1-877-270-7867) to assist them in quitting tobacco ([www.dph.georgia.gov/ready-quit](http://www.dph.georgia.gov/ready-quit)).



## ENFORCE it as you would any other rule:

- **Respond promptly and document all violations –** Send a written notice to the resident stating that you have been made aware of violations to the smokefree policy. Spell out what the consequences will be. Keep written track of the specifics of each occurrence (when, where, what).
- **Follow the guidelines of your lease.** Your lease may require at least three written warnings or simply a 30-day notice to terminate.
- **Eviction should always be a last resort;** it is expensive and time-consuming.

For more information, please visit <http://breatheeasygahomes.org/>  
This information was adapted from the Oregon Smokefree Housing Project, sponsored by the Oregon Health Authority





Learn more and apply at:

**<http://breatheeasygahomes.org/>**

**[info@breatheeasygahomes.org](mailto:info@breatheeasygahomes.org)**

