



## Matrix of Smokefree Housing Authority Policies

December 2013

Smokefree housing is the next frontier in California's ongoing effort to protect its citizens from secondhand smoke. Although California has made great progress in getting secondhand smoke out of workplaces, for the many Californians who live in multi-unit housing breathing secondhand smoke which drifts from neighboring units, balconies and outdoor areas has become a real health problem. This is especially true of low income residence living in housing run by local housing authorities. The problem even prompted the US Department of Housing and Urban Development to release a memo in 2011 encouraging owners and managers of rental assistance programs to implement smokefree housing policies.

This matrix details the policies that Housing Authorities across the state have adopted to address this issue. It includes information about implementation timelines, provisions for units and common areas, disclosure and enforcement.

**Smokefree policies have been adopted by 26 California housing authorities** – Alameda, Baldwin Park, Eureka, Fresno County, Imperial Valley, Kern County, Los Angeles County, Madera, Oxnard, Paso Robles, Pleasanton, Plumas County, Port Hueneme, Rancho Mirage, Sacramento (City), Sacramento County, Santa Barbara (City), Santa Barbara County, San Bernardino County, San Diego (City), San Diego County, San Francisco, San Joaquin County, San Luis Obispo (City), Thousand Oaks and Ventura County. The policies are listed in the table in reverse chronological order from the most recently passed.

For specific questions about a city or county policy, please contact the Center. Additional smokefree housing materials produced by the American Lung Association in California Center for Tobacco Policy and Organizing are available at [www.Center4TobaccoPolicy.org/smokefree-multi-unit-housing/](http://www.Center4TobaccoPolicy.org/smokefree-multi-unit-housing/).

Community/ Date Passed	Implementation	Units	Common Areas	Enforcement Provisions
<b>Madera</b> September 2013/ August 2002	New: January 1, 2014  Existing: January 1, 2014	Prohibits smoking in 100% of units	Prohibits smoking in all indoor and outdoor common areas and entryways.	A violation of this policy may be considered a material breach and grounds for immediate termination of the lease.
<b>Los Angeles County</b> July 2013	New: July 1, 2014  Existing: July 1, 2014	Prohibits smoking in 100% of units.	Prohibits smoking in all indoor and outdoor common areas except in designated areas.	A violation of this policy may be considered a material breach and grounds for termination of the lease.
<b>San Diego</b> June 2013	New: February 1, 2014  Existing: February 1, 2014	Prohibits smoking in 100% of units.	Prohibits smoking in all indoor and common areas, including patios and balconies, except in designated smoking areas.	A violation of this policy may be considered a material breach and grounds for immediate termination of the lease.
<b>Imperial Valley</b> March 2013	New: Immediately  Existing: Immediately	Prohibits smoking in 100% of units.	Prohibits smoking in all indoor and outdoor common areas.	Repeated violations of this policy may be considered material noncompliance with lease requirement and may result in termination of the lease.
<b>Sacramento</b> January 2013	New: Immediately  Existing: Immediately	Prohibits smoking in 100% of units	Prohibits smoking in all indoor common areas and entryways.	Residents may report violations to the landlord who is not required to act unless provided with written notice.  A violation of this policy may be considered a material breach and grounds for immediate termination of the lease.
<b>Sacramento County</b> January 2013	New: Immediately  Existing: Immediately	Prohibits smoking in 100% of units.	Prohibits smoking in all indoor common areas and entryways.	Residents may report violations to the landlord who is not required to act unless provided with written notice.  A violation of this policy may be considered a material breach and grounds for immediate termination of the lease.
<b>Eureka</b> January 2013	New: Immediately  Existing: Immediately	Prohibits smoking in 100% of units.	Prohibits smoking in all indoor and outdoor common areas, including patios and decks.	A violation of this policy may be considered a material breach and grounds for immediate termination of the lease.
<b>Ventura County</b> August 2012	New: April 1, 2013  Existing: April 1, 2013	Prohibits smoking in 100% of units.	Prohibits smoking in all indoor and outdoor common areas, including patios and balconies.	1 <sup>st</sup> violation –Verbal warning 2 <sup>nd</sup> violation –Written warning letter 3 <sup>rd</sup> violation –Lease termination notice
<b>San Francisco</b> July 2012			Prohibits smoking in indoor common areas.	
<b>Kern County</b> June 2012/April 2009	New: 1 month  Existing: 1 month	Prohibits smoking in 100% of units.  Requires residents to sign acknowledgment that smoking can result in greater damage to the unit.	Prohibits smoking in all indoor and outdoor common areas except in designated areas.	Residents may report violations to the landlord who is not required to act unless provided with written notice.
<b>Baldwin Park</b> November 2011	New: June 2, 2012	Prohibits smoking in 100% of units.	Prohibits smoking in all indoor and outdoor common areas except in	A violation of this policy will result in a verbal and documented warning and a 30

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	Existing: December 2, 2014		designated areas.	day notice to vacate the facility.
<b>Pleasanton</b> October 2011	New: 6 months Existing: 6 months	Prohibits smoking in 100% of units.	Prohibits smoking in all indoor and outdoor common areas except in designated areas.	Enforced by the Housing Commission in accordance with the enforcement procedures for all lease provisions.
<b>Fresno County</b> September 2011	Current smokers are not grandfathered in.	Prohibits smoking in 100% units.	Prohibits smoking in all indoor and outdoor common areas except in designated areas.	A violation of this policy is a violation of the lease.
<b>San Luis Obispo</b> September 2011	New: 4 months Existing: 16 months	Smoking prohibited in 100% of units.  Includes decks and patios.	Smoking is already prohibited in the indoor and outdoor common areas of these Housing Authority of San Luis Obispo complexes per the secondhand smoke ordinance in the city of San Luis Obispo.	Enforced by tenants.  Requires landlords take reasonable steps to ensure compliance.
<b>San Diego County</b> March 2011	New: 4 months Existing: 4 months	Smoking is prohibited in 100% of units.  All residents will be required to sign and return to the Resident Manager a copy of the no smoking policy.  The County is partnering with the American Lung Association in California to provide cessation resources.	Prohibits smoking all indoor common areas and within 25 feet of all buildings including porches, balconies and patios, except in designated smoking areas.	Enforced through the enforcement procedures for all leases outlined in the Admissions and Continued Occupancy Policy as a violation of the lease.
<b>San Joaquin County</b> November 2010	New: Immediately Existing: 12 months with a signed smoking exemption form, immediately without	Smoking is prohibited in 100% of units.  During the 12 month implementation period residents may not smoke in their unit when any employee or representative of the Housing Authority is present.  Cessation resources will be made available to all residents.	Smoking is prohibited in indoor and outdoor common areas and within 20 feet of all buildings. Smoking is allowed in parks, sidewalks and streets within 20 feet.	1 <sup>st</sup> violation– verbal warning 2 <sup>nd</sup> violation – written warning letter 3 <sup>rd</sup> violation – 30-day lease termination notice with the option to remedy 4 <sup>th</sup> violation – 30-day lease termination notice
<b>San Bernardino County</b> July 2010	New: Immediately Existing: 1 year	Smoking is prohibited in 100% of units in four housing complexes in the county (Redlands Brockton Site, Waterman Gardens Community, Yucaipa Crest and Colton Senior Housing Complex).	Prohibits smoking in both indoor and outdoor common areas and adjoining grounds.	Residents are responsible for informing guests of the nonsmoking policy and will be responsible for any damages caused by a violation of the policy.  The Housing Authority can terminate the rental agreement for violations of the smoking provisions, which are considered a material breach of the rental agreement.

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<b>Santa Barbara</b> April 2010/ November 2005	New: 1 year  Existing: 1 year  Current smokers are not grandfathered in.	Smoking is prohibited in 100% of units (except for at one senior property).	Prohibits smoking in all indoor common areas and limited outdoor common areas. The Housing Authority of the City of Santa Barbara reviewed each property to determine if there were locations suitable to designate as outdoor smoking areas, and created them if there was a location.	Enforced by HACSB through the use of warnings and progressive notifications in an attempt to achieve compliance.  All possible remedies will be exhausted, up through eviction.
<b>Santa Barbara County</b> April 2010		Prohibits smoking in 100% of new units.  For existing tenants, the smoking prohibitions are applied on a voluntary basis.	Each property manager is responsible for determining where smoking is prohibited and which areas are designated outdoor smoking areas.	
<b>Plumas County</b> July 2008	New: 1 year  Existing: : 1 year  Current smokers are not grandfathered in.	Smoking is prohibited in 100% of units.  Low literacy cessation services will be offered to all residents.	Allows smoking outside but encourages residents to keep away from windows and doorways.  Designated smoking areas with weather covers will be created at each location.	
<b>Alameda</b> April 200	New: 5 months  Implemented at Independence Plaza, a 186-unit senior complex first followed by Anne B. Diament Plaza with 65 units.  All units will be converted over the course of a year.	Smoking prohibited in 100% of units.  The smoking restrictions will also apply to employees and vendors.	Smoking prohibited in common areas.	The Housing Authority has the right to inspect apartments for evidence of smoking if they are notified of a violation of the no-smoking policy. Residents will be given 24 hours' notice prior to an inspection.  The Housing Authority can terminate the rental agreement for violations of this policy.  Residents can notify the Housing Authority of potential violations and the Housing Authority must then take reasonable steps to enforce these provisions.  Residents may also sue another resident to enforce the no-smoking policy but do not have the right to evict another resident.
<b>Port Hueneme</b> April 2008	At the Hueneme Village property smoking will be prohibited inside all newly leased units after three months.	Restrict smoking in two public housing properties, Hueneme Village and Mar Vista.  Hueneme Village property (family housing): All newly leased units. Mar Vista property (senior housing): All		Violation of the smoking policy will be handled as a lease violation.  First violation: verbal warning;  Second violation: written warning; Subsequent violations could result in a

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		<p>units on the bottom three floors.</p> <p>Current residents who smoke and live in the bottom three floors will be encouraged, but not required, to move to a unit on the fourth or fifth floor.</p>		<p>termination from the Housing Authority program.</p>
<p><b>Oxnard</b> March 2008</p>	<p>Current smokers are not grandfathered in.</p>	<p>Prohibits smoking in two senior housing properties, Plaza Vista and Palm Vista.</p> <p>Smoking prohibited within 100% of the units</p>	<p>Prohibits smoking in common areas and within 30 feet of entrances.</p>	<p>Enforced by Housing Authority staff</p> <p>Notification of violations must be provided to residents who will have a chance to respond to the notice. After three violations, a resident's lease is subject to termination.</p> <p>Residents are responsible for ensuring that guests comply with the policy.</p>
<p><b>Paso Robles</b> March 2008</p>		<p>Smoking prohibited in 100% of units for the Chet Dotter Senior Complex.</p>	<p>Smoking prohibited on the entire property of the Chet Dotter Senior Complex.</p>	<p>Enforced through tenant screening (if an applicant smokes they are referred to community quit smoking classes and must show letters of completion upon application acceptance), and staff and tenant reporting of violations as well as security cameras that monitor the grounds.</p>
<p><b>Thousand Oaks</b> March 2007/ September 2004</p>		<p>Requires that developers of new publicly-assisted rental housing to set aside 33% of the new units and 50% of new supportive housing as nonsmoking units.</p>		
<p><b>Rancho Mirage</b> December 2006</p>		<p>Prohibits smoking within apartment units for the Santa Rosa Villas and any senior residential complexes to be built in the future.</p> <p>Prohibits new residents of the other two existing senior residential complexes from smoking in their units.</p> <p>Existing residents will be permitted to smoke until they move.</p>	<p>Prohibits smoking in outdoor common areas of the three senior affordable housing residential complexes.</p>	<p>Residents can make complaints to the Housing Authority.</p>