

**Capitol Area Developments, Inc**  
**Smoke-free Housing and Building Policy**  
**Effective May 1, 2018**

**Purpose:**

- Smoke-free policies are increasingly being adopted in the rental housing market.
- Focus on the detrimental effects of smoke without penalizing the smoker. This policy is not intended to force anyone to stop smoking or to move out of CAD properties, but instead to offer safe, decent and sanitary housing for all populations.
- Protect resident and staff from secondhand smoke. Research suggests there is no safe level of smoke exposure. Movement of secondhand smoke between rental units cannot be controlled in multifamily buildings.
- Prevent injury and death from smoking-related fires. According to studies conducted by insurance companies, more people die in fires started by smoking materials than in any other type of fire.
- Reduce property maintenance and turnover costs. Turning over a smoking unit can cost more than turning over a smoke-free unit. By lowering cost such as these, CAD is able to efficiently provide housing for its residents.
- Assist smokers to quit. Research indicates that smoke-free policies help smokers quit smoking. Research also conducted, finds smoking is the single greatest avoidable cause of disease and death.

**Definitions:**

1. “Smoking” is defined as the carrying or smoking of a lit product or the burning of any substance or material to be inhaled including, but not limited to: cigarettes, cigars hookahs/water pipes, electronic cigarettes, or pipes.
2. “Property” means any property owned, leased, or otherwise controlled or operated by CAD, including buildings, other structures and grounds, and vehicles owned or leased by the CAD or its management entity.
3. “Restricted Areas” means indoor areas of all CAD buildings owned and operated by the as rental units and including but not limited to: porches, patios, electrical closets, storage units, administration buildings, and in other areas designated by CAD as smoke-free.
4. “25 foot perimeter” means there is to be no smoking in the 25 foot perimeter which means all outdoor areas up to 25 feet from any CAD owned and operated buildings, rental units, community rooms, administrative office buildings.

**Policy:**

This policy establishes standards and requirements to provide a smoke-free housing and building policy environment for all CAD residential properties. This policy does not prohibit individual residents from smoking. However, smoking is not permitted anywhere inside restricted areas, and within a 25 foot perimeter outside of any buildings.

1. Effective May 1, 2018, smoking will be prohibited in restricted areas. All current and new residents, guests, employees, contractors and visitors in and/or on CAD property will be prohibited from smoking inside restricted areas as defined in this policy.
2. This policy will not apply until the effective date, at which point it will be incorporated into all residents' lease agreements. Failure of any resident to follow the smoke-free housing and building policy after the effective date will be considered a lease violation.
3. Any cigarette, tobacco or other smoking materials not properly disposed of may be cause for a charge to the residents account for trash removal.
4. Repeated violations of the smoke-free housing and building policy may be considered material noncompliance with lease requirements and may be good cause for lease termination.

**Enforcement:**

If the smell of smoke is reported, CAD will seek the source of the smoke and appropriate action will be taken. Residents are encouraged to promptly give their Property Manager a written statement of any incident where smoke is migrating into the Resident's rental unit from sources outside of the Resident's home. Any violation of the smoke-free housing and building policy by any resident, resident household member, or guest will be considered a lease violation. The following progressive plan will be enforced:

**1<sup>st</sup> Violation:** Verbal/written warning and provide cessation information.

**2<sup>nd</sup> Violation:** Written warning and provide cessation information.

**3<sup>rd</sup> Violation:** Written warning, conference with Property Manager, and provide cessation information. A nuisance charge may also be applied to the resident's rental account.

**4<sup>th</sup> Violation:** Lease Termination.

**Smoking Cessation Assistance:**

Smoking cessation resources provided by outside agencies will be made available to residents. Management staff is not qualified to answer questions and otherwise provide smoking cessation assistance. Staff is only equipped to refer residents to options and opportunities of smoking cessation available in their community.

**Disclaimer:**

Capitol Area Developments, Inc is not acting as a guarantor of this policy. CAD disclaims any implied or express warranties that the building, common areas or resident's premises will have

any higher or improved air quality standards than any other rental area, or will be free from second or third hand smoke. Residents with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that the CAD does not assume any higher duty of care to enforce this policy than any other CAD obligation under the lease. Failure to enforce any part of this policy does not negate the right of the CAD to enforce it in the future.

**Resident Certification:**

I have read and understand the above smoke-free housing and building policy and I agree to comply fully with the provisions. I understand that failure to comply may constitute reason for termination of my lease agreement.

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**Resident Signature**

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**Date**

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**Resident Signature**

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**Date**

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**Resident Signature**

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**Date**