

METHUEN HOUSING AUTHORITY

SMOKE-FREE POLICY

The Methuen Housing Authority's Smoke-Free Housing Policy ("Policy") has been created based upon the overwhelming evidence that the implementation of this Policy will improve the health and safety of both its residents and employees. A survey of our residents completed in 2021 shows that the majority are in favor of smoke-free housing.

This Policy applies to anyone on any of the Methuen Housing Authority's properties including residents, guests, visitors, employees, home health aides, visiting nurses, contractors, employees, staff, and anyone having any business on MHA property for any purpose.

PURPOSE: This Policy aims to:

- Protect the health of residents and everyone on MHA property from second and third-hand smoke.
There is evidence that exposure to smoke, direct or indirect, causes adverse health conditions, including, but not limited to, respiratory illnesses, cardiovascular disease, stroke, coronary heart disease, cancer, and asthma.
- Prevent fires and fire-related deaths from smoking
- Reduce unit turnover costs
The extent of the work required in renovating an apartment for re-occupancy is much greater in a unit which was occupied by smokers than one which was occupied by nonsmokers.
- Protect property from damage
Smoke-free housing will help protect property from fires, odor, or stain damage.

DEFINITION OF SMOKING: The term "smoking means the inhaling, exhaling, burning or carrying of a lighted or heated cigar, cigarette, pipe or other tobacco product intended for inhalation in any manner or form, including but not limited to the use of electronic cigarettes, electronic cigars, electronic . or other similar products that rely on vaporization or aerosolization

SMOKE FREE AREAS: Effective May 15, 2023, smoking is prohibited on all Methuen Housing Authority properties (including all MHA vehicles). This includes BUT is not limited to individual apartments, common areas, balconies, porches, entry areas, community rooms, bathrooms, hallways, lobbies, laundry rooms, office spaces, walkways, lawns, parking areas etc. Smoking is prohibited on all MHA property without exception.

This policy requires anyone on any of the Methuen Housing Authority's properties for any purpose including current residents, new residents, guests, visitors, employees, home health

aides, visiting nurses, contractors, employees, and anyone having any business on MHA property adhere to the Smoke-Free Policy as of its effective date.

RESIDENT TO PROMOTE SMOKE-FREE POLICY AND REPORT SUSPECTED VIOLATION: Residents shall inform all household members, visitors, guests, home health aides, visiting nurses, and all other service providers of the Smoke-Free Policy. If a resident or employee notices or observes a violation of this policy, they may submit a report to the Housing Manager.

METHUEN HOUSING AUTHORITY TO PROMOTE SMOKE-FREE POLICY: MHA shall inform each resident of the Smoke-Free Policy at the time of lease signing and any time thereafter as may be deemed appropriate. MHA will post No Smoking signs and promote this policy in meetings and discussions with residents and enforce compliance with this policy as deemed necessary. MHA will make smoking cessation information available to residents upon request. New residents will be given a copy of the smoke-free policy and will be required to sign a smoke-free lease addendum at the time of lease-up. Current residents will be required to sign a smoke-free Lease Addendum by June 1, 2023, that will be kept in the resident's file with a copy given to the resident.

MHA has smoking cessation informational resources onsite to help interested residents learn more about quitting smoking. MHA may continue to promote cessation resources for residents when MHA, at its discretion, deems it helpful.

Smoke-free housing does not mean that smokers are prohibited from living in MHA developments. It simply means that residents, guests, visitors, employees, home health aides, visiting nurses, contractors, employees, and anyone having any business on MHA property are prohibited from smoking on MHA property without exception.

SMOKE FREE ENFORCEMENT PLAN

- 1st Violation - Verbal warning and a reminder of the smoke free policy.
- 2nd Violation - Warning/Reminder letter reiterating the smoke-free policy and advising the resident of further consequences.
- 3rd Violation- Informal conference with the resident and Executive Director or his/her designee. Where feasible, an in-house written agreement may be offered to resolve or avoid legal action.
- 4th Violation- Notice of lease violation

Once a resident has incurred the fourth violation, the matter will be treated as a breach of the lease. Legal action may be taken for violation of the Smoke-Free Policy.

At each stage in the enforcement plan, the MHA staff will seek to remind residents about the opportunity to participate in cessation programs, although this reminder shall not be a prerequisite for enforcement.

METHUEN HOUSING AUTHORITY NOT A GUARANTOR OF SMOKE-FREE ENVIRONMENT: The MHA's adoption of a smoke-free policy does not make the MHA nor any of its managing agents the guarantor of the Resident's health or of the smoke-free condition of Resident's unit and common units. However, the MHA shall take reasonable steps to enforce the smoke-free terms of its lease. MHA will address violations of this policy upon the MHA's actual knowledge of said smoking or if the MHA has been given notice of said smoking and said notice can be substantiated. MHA may also discover violations of the lease addendum as part of a unit inspection or other observation by the MHA or agent of the MHA.

DISCLAIMER BY METHUEN HOUSING AUTHORITY: The MHA's adoption of a smoke-free policy does not in any way change the standard of care that the MHA would have to a resident household to render building and premises designated smoke-free any safer, more habitable, or improved in terms of air quality standards than any other rental property. MHA specifically 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 property. The MHA cannot and does not warranty or promise that the rental premises or common areas will be free from indirect smoke. Resident acknowledges that MHA's ability to police, monitor or enforce the agreements of the smoke-free lease addendum is dependent in significant part on voluntary compliance by the resident and resident's guests. Residents with respiratory ailments, allergies, or a physical or psychological condition relating to smoke are put on notice that the MHA does not assume any higher duty of care to enforce the smoke-free lease addendum than any other MHA obligation under the lease.

POLICY ADDENDUM: The Non-Smoking Lease Addendum is attached hereto and made a part hereof. The Lease Addendum shall be controlling.