

For landlords: How to make your property smoke-free

Transitioning your home or building(s) to smoke-free is a three-step process:

- Develop a policy
- Communicate with staff, tenants, and others who visit the building or property about the policy, including training staff on the policy and their responsibilities for enforcement
- Implement and enforce the policy

Develop a policy

A smoke-free housing policy needs to have:

- A definition of smoking stating which burning and vaping products will not be allowed
- Exactly where smoking will not be allowed
- Who the smoke-free policy applies to
- Consequences of violating the policy
- The policy's effective date

To get a sample policy, go to www.BostonSmokeFreeHomes.org.

Communicate about the policy

Legal communication requirements

By providing at least 60 days' notice before the end of a lease, you will be compliant with Massachusetts law about notifying tenants about changes in leases. Landlords of market-rate housing in Massachusetts are required by law to provide at least 30 days' notice about a lease change to tenants before the end of the current lease (60 days for Section 8).

Tenant communication

Start early. As you are developing your policy, begin to educate tenants about the decision to go smoke-free. Some tenants may not like the idea of going smoke-free, but they will appreciate the chance to be heard.

Use multiple methods. Using more than one form of communication to share information about the new policy will make it easier for people to keep up to date and ask questions. For example: A letter, an email (if all tenants have email addresses), a tenant survey, a building meeting (BPHC can attend and present to tenants), one-on-one conversations, and flyers, educational posters, and building notices. BPHC provides free sample materials; contact us at HealthyHomes@bphc.org or 617-534-4718.

Communicate widely. Tell tenants, employees, service and health providers, vendors, and others who regularly enter the building(s) about the smoke-free policy.

Staff

Train staff about the policy change, including their responsibilities. BPHC provides free trainings for staff; contact us at HealthyHomes@bphc.org or 617-534-4718.

Designated smoking areas

Identify if there are any designated smoking areas and notify tenants.

Potential renters

Advertise your residential listings as smoke-free. Smoke-free housing is popular and may attract even more attention to your listings. When showing an available unit to a potential renter, explain the building's smoke-free policy and the commitment to enforcing it, and answer any questions.

Include information about the smoke-free policy on all housing applications. Post signs in the building and/or on the property letting potential tenants and other visitors know that the building is smoke-free (free signs available at www.BostonSmokeFreeHomes.org).

Implement the policy

Implementing a smoke-free policy is handled the same way as any other lease or lease modification.

Modify leases

Choose one effective date for all residents so that the entire building becomes smoke-free at once and before that date, develop a no-smoking lease addendum that includes the effective date. Depending on the renewal timing for existing leases, the effective date may be several months to one year out.

Existing tenants: Provide existing tenants with a copy of the no-smoking lease addendum before their leases renew and tell them it will become part of their lease if they would like to continue living in the building.

If you are concerned about tenants who may have difficulty going outside to smoke, consider moving them to a vacant unit on the first floor or closer to an exit or elevator (if available), to help them with complying (i.e., make it easier for them to get outside).

New tenants: Provide new tenants with a new lease or the lease addendum, including information about the building's smoke-free policy.

Month-to-month tenants: Month-to-month tenants, also referred to as tenants-at-will, do not have a written lease agreement, but landlords are still required by law to provide at least 30 days' notice before a policy change (or 31 days' notice, if the following month is 31 days long).

Free resources and help

If you are thinking about or planning to make your building(s) smoke-free, the Boston Public Health Commission (BPHC) can help. BPHC offers free help and support with smoke-free housing, including:

- Answering questions and troubleshooting by phone any issues related to smoke-free housing
- Conducting trainings for building staff
- Attending resident meetings and speaking about health consequences of secondhand smoke exposure and resources for quitting smoking
- Providing sample materials like smoke-free lease addendums, resident notices and surveys, smoke-free building signs, and resources for quitting smoking

More information and help making your property smoke-free

Get our free landlord guide at www.BostonSmokeFreeHomes.org

Or contact us at:

- HealthyHomes@bphc.org
- 617-534-4718