

ENFORCING A SMOKE-FREE POLICY

In most cases, a smoke-free policy is largely self-enforcing, especially since the Maryland Clean Indoor Air Act prohibits smoking in indoor common areas. Think about restaurants and bars—people know that smoking is not tolerated inside these establishments. If they want to smoke, they go outside. Social norms have changed and smoking indoors is no longer acceptable. The smoke-free policies in these establishments are self-enforcing and smoke-free policies in multi-unit housing will be the same way. If this is not the case, remind residents that the smoke-free policy is part of the lease agreement.

Failure to comply with the smoke-free policy will result in a breach of the lease agreement. Use the same warnings and penalties for the smoke-free policy as you do for other rules like trash removal, noise or rent payments.

The following tips may be helpful:

- Post signs about the policy in the lobby and common areas.
- Promote the building’s smoke-free status in all advertising, on your website and on free rental/apartment locator search sites.
- Act quickly and consistently when notified of a violation.
- Make residents liable for smoking-related damages.
- Have resources available for residents who want to quit smoking, such as the free Maryland Tobacco Quitline (1-800-QUIT-NOW) and www.smokingstopshere.com.

Research has shown that smoke-free housing helps protect the health of non-smokers. It also helps smokers smoke less and even quit, improving their health as well.

SAMPLE ENFORCEMENT PLAN FOR A SMOKE-FREE POLICY

Property owners and managers should use the same warnings and penalties for violations of the smoke-free policy as for other violations of the lease. The following is a sample enforcement plan.

| RESPONSE | VIOLATION | | | | |
|--|-----------------|-----------------|-----------------|-----------------|-----------------|
| | 1 ST | 2 ND | 3 RD | 4 TH | 5 TH |
| Verbal Warning | ✓ | ✓ | | | |
| Provide Smoking Cessation Materials. Refer to the Maryland Tobacco Quitline (1-800-QUIT-NOW). | ✓ | ✓ | ✓ | ✓ | |
| Written Warning | | | ✓ | | |
| Provide resident with a termination of lease notice with an option to remedy. If remedied, resident begins probation period. | | | | ✓ | |
| If another violation occurs within the probation period, issue a termination notice. | | | | | ✓ |

“ I have only had one issue...I gave one warning and the individual actually enrolled in a smoking cessation class and quit smoking because of it. —Maryland Property Owner/Manager

Usually a face-to-face or phone conversation will do the trick...If it continues to be a problem, then we will pursue sending them a letter of violation and give them a 30-day notice. Everyone that I have spoken with has been pretty accepting... —Maryland Property Owner/Manager ”

SAMPLE SIGNAGE

These samples can be downloaded from mdsmokefreeliving.org.



THE MARYLAND TOBACCO QUITLINE: FREE SMOKING CESSATION RESOURCES

Quitting smoking is one of the most important steps a person can take to improve their health and quality of life. The Maryland Tobacco Quitline, 1-800-QUIT-NOW, is a FREE evidence-based telephone counseling program available 24 hours a day, seven days a week. The Quitline provides services in English and Spanish and other languages via translation services by highly trained Quit Coaches® to Marylanders 13 years and older. Additionally, tobacco users 18 years and older have FREE access to the following benefits:

- four weeks supply of Nicotine Replacement Therapy (NRT), such as the patch or gum, and
- Web Coach® and Text2Quit® support programs!

Marylanders can enroll in these FREE services by calling 1-800-QUIT-NOW (1-800-784-8669) or online at www.SmokingStopsHere.com. Property owners/managers can also order free promotional materials at www.SmokingStopsHere.com.