POLICY PLANNING

BUILDING SUCCESS starts during planning.

Develop an effective policy

Effective policies include clear language about:

- Why the smoke-free policy is being adopted
- Where smoking is and is not allowed
- Who is responsible for reporting and investigating violations
- How the policy will be enforced

Be specific about what the policy requires—at a minimum, no smoking of cigarettes, cigars, pipes (including water pipes, also known as hookahs), or any other lighted smoking equipment, including tobacco, marijuana, or other combustible products, by anyone inside or within 25 feet outside of the building.

Additional limits or clarifications in a policy may include:

- A no-smoking buffer greater than 25 feet, or a campus-wide smoking ban
- E-cigarettes (see below)
- In federally funded public housing authorities (PHAs), residents are not allowed to use any form of marijuana in accordance with federal laws. Consult with a Regional HUD Office about local ordinances and laws, or refer to the HUD memo on medical marijuana.

It may be helpful to consult with local courts/legal aid groups during the planning phase to ensure that the policy is enforceable. Policies should specify that the housing authority is not a guarantor of a smoke-free environment but will reasonably enforce the policy.

Smoke-free policy language is often found in:

- A lease or lease addendum
- The House Rules
- Admissions and Continued Occupancy Policy (ACOP)

Sample language can be found on the following websites:
www.hud.gov/sites/documents/SMOKEFREE_GUIDEBK.PDF
www.hud.gov/sites/documents/SFGUIDANCEMANUAL.PDF
no-smoke.org/model-public-housing-smokefree-policy/

Roles and procedures

During the pre-adoption planning phase, determine:

- Which staff roles are responsible for enforcement (some staff may be more effective as resident allies with limited enforcement requirements—for example, resident service coordinators)

- How to include policy violation checks during routine work and maintenance
- How residents can report suspected violations, e.g., by calling, emailing, in person, or in writing
- How to respond to resident reports of possible violations. Although residents may initiate a smoking violation investigation, most housing agencies require that the violations be substantiated by staff.
- What evidence of a violation is required. Evidence may include physical evidence such as cigarette butts in unit, stained walls or air filters, or strong odor. Some housing authorities use nicotine monitors or smoke detectors, but these can be expensive.
- A formal process that ensures consistent, appropriate follow-up to violations

Considerations during planning

E-cigarettes

E-cigarettes deliver nicotine through vapor rather than smoke. The health risks of e-cigarettes have not been clearly established, although it is generally accepted that using e-cigarettes or vaping devices has lower health risks than smoking cigarettes. Little is known about secondhand exposure to vapor.

The HUD rule leaves it up to individual PHAs to decide whether to apply the smoke-free rule to e-cigarettes. E-cigarettes may be a useful tool in helping smokers adhere to the policy. Prohibiting e-cigarettes may be more difficult to enforce because they do not produce smoke or the other usual evidence, such as ashtrays or cigarette butts. On the other hand, allowing e-cigarettes may convey confusing messages about smoking to other residents, especially youth.

Whatever approach is adopted, policies about e-cigarettes should be reviewed over time based on the ongoing accumulation of evidence and the perceived needs of management and residents.

Neighbors

Prohibiting smoking on PHA property may displace smokers onto a neighboring property. PHAs can only enforce smoke-free policies on their own properties. PHAs should consult with residents and neighbors to identify a solution that works for everyone.

Smoking shelters

Smoking shelters protect people who smoke from the elements, making it easier for them to adhere to the policy. Smokers report that having a smoking shelter supports their sense of autonomy and helps them feel respected. Ensure that designated smoking areas are safe, well-lit, and regularly maintained. PHAs that have been able to provide a shelter for smokers report higher adherence rates. When considering smoking shelters, keep in mind that:
- Shelters can be costly to construct.
- The HUD Rule does not require that PHAs install smoking shelters for smokers.
- Smoking shelters must be compliant with the Americans with Disabilities Act (ADA).
- Shelters should not violate clean indoor air or other ordinances (state or local).

The Building Success project supports efforts to implement smoke-free policies by sharing practical ideas and insights from housing providers and residents who went smoke-free. Learn more at www.BuildingSuccessSmokefree.org.