

Making your Rental Building Smoke-Free

A GUIDE FOR LANDLORDS & PROPERTY MANAGERS

It's legal, easy to implement, and enforceable.

4 easy steps for going smoke-free

1 DEVELOP YOUR NO-SMOKING POLICY

- ✓ Identify where smoking will NOT be permitted in the building, such as inside units, balconies, and outside property.
Note: A major source of smoke comes from smoking on balconies.
- ✓ Identify who the policy applies to: tenants, guests, staff, and service personnel.
- ✓ Designate an outdoor smoking area at least 8 meters (26 feet) away from doors and windows. *[Optional]*



Sample no-smoking policy: It is a material term of this tenancy agreement that smoking of any combustible material in the rental unit, the outdoor balconies or on the entire property is prohibited.

2 IMPLEMENT YOUR POLICY

- ✓ Amend your tenancy agreements for all NEW tenancies to include the new policy.
- ✓ If renewing a fixed term tenancy, ask tenants if they are willing to sign a no-smoking clause.
Note: The Residential Tenancy Act does not permit a landlord to change any terms in a tenancy agreement without the tenant's agreement. This includes fixed term tenancy agreements that are renewed on expiry.
- ✓ Add a Disclaimer to the Agreement: The building is transitioning to smoke-free status and until the transition is complete, smoking is still allowed in 'grandfathered' units. *[Optional]*
- ✓ Request that tenants initial the no-smoking clause.



3 PROMOTE YOUR POLICY

- ✓ Register your building with the Smoke-Free Housing Registry at www.smokefreehousingbc.ca.
- ✓ Post "no-smoking" signage in the building and on the property.
- ✓ Advise prospective tenants the building is in transition and 'grandfathered' tenants are still permitted to smoke in their units.



4 ENFORCE YOUR POLICY

- ✓ Use the same warning/enforcement procedures that you use for any other breaches of the tenancy agreement.
- ✓ Respond quickly and consistently to any violations. Lack of enforcement with one resident may hamper enforcement with others.
- ✓ Educate staff on procedures for dealing with complaints of second-hand smoke from 'grandfathered' units in the building.



🖱 Visit www.smokefreehousingbc.ca for tools and resources.

Why it pays to go smoke-free

Increases Marketability

- ✓ 86% of British Columbians do not smoke.
- ✓ 2 of 3 BC renters prefer to live in a smoke-free building. *(2013 Angus Reid Survey)*
- ✓ British Columbians are used to smoke-free workplaces, restaurants, bars and public places. They expect no less in their own homes.

Saves Time & Money

- ✓ Reduces cleaning, repair and maintenance costs.
- ✓ Reduces staff time dealing with resident complaints.
- ✓ Protects against human rights complaints by tenants with disabilities aggravated by second-hand smoke.

Reduces Risk of Fires

- ✓ Tobacco materials are the #1 source of fatal residential fires in BC.

Protects Resident Health

- ✓ Second-hand smoke causes heart disease, lung cancer and respiratory problems in adults who do not smoke.
- ✓ Breathing second-hand smoke is a known cause of Sudden Infant Death Syndrome.
- ✓ Second-hand smoke makes children more at risk for asthma, ear infections, bronchitis and pneumonia.

50% of BC residents living in multi-unit dwellings have experienced second-hand smoke infiltrating their homes from neighbouring units. (2013 Angus Reid survey)

"It's one of the easiest things you can do to protect your investment, reduce fires and clean-up costs, and reduce complaints about second-hand smoke."

—Tyler Davis, Property Manager,
Vancouver Management Ltd.

Going smoke-free is good for residents and good for your bottom line. It's win-win!



Helping increase options for smoke-free housing
smokefreehousingbc.ca

In BC, only new tenancy agreements can include a 'no smoking' policy, and existing tenants must be grandfathered (exempted) during the length of their tenancy. While your building is converting to smoke-free status, you'll still need to deal with resident complaints of second-hand smoke coming from 'grandfathered' units.

Tips for addressing complaints of second-hand smoke

1 INVESTIGATE COMPLAINTS

Investigate complaints and take steps to minimize smoke transfer.

- ✓ Install weather-stripping around doors and windows.
- ✓ Patch cracks in walls, ceiling, and inside cabinets on common walls.
- ✓ Insulate the air spaces around plumbing pipes and place covers on electrical outlets.
- ✓ Ensure building ventilation system is working efficiently.



2 COLLECT EVIDENCE

Collect evidence on the severity, frequency and impact of smoke.

- ✓ Write down the information: What? When? Where?
- ✓ How often does it occur – is it frequent and on-going?
- ✓ What steps have been taken to resolve the problem?
- ✓ How does it affect the health of residents bothered by the smoke?
- ✓ How does the smoke affect someone's full use and enjoyment of the unit or balcony?
- ✓ Do you have witnesses and/or evidence to verify the smoke transfer?



3 NEGOTIATE SOLUTIONS

- ✓ Talk to the resident who smokes about ways to stop or reduce the smoke entering neighbouring units.
- ✓ If a solution is reached, put it in writing and have all parties sign it.
- ✓ Document all complaints and actions taken in case of future legal action.



4 COMMENCE ENFORCEMENT

- ✓ Issue a warning letter. If there is evidence that the smoke is significant, sustained, and a negotiated settlement cannot be reached, notify the resident who smokes and specify:
 - They have disturbed the quiet enjoyment of other residents;
 - They stop the violating behaviour. Be specific, such as no smoking anywhere on the property or confine smoking to an outdoor designated area;
 - Failure to comply could result in a Notice to End Tenancy.
- ✓ Issue a Notice to End Tenancy for Cause, as a last resort if violations continue. Ensure you have sufficient evidence and witnesses to support your actions.

