



PUBLIC HEALTH
LAW CENTER

Tobacco Control Legal Consortium

Model Smoke-Free House Rules Policy

[Smoke-free multi-unit housing policies usually take two forms: lease addendums or house rules. [This chart](#) can help you decide which form makes the most sense for your property. In addition to notifying residents of any changes to the policy, consider incentivizing residents with fixed-term leases to make the policy effective sooner rather than later. This model house rules policy prohibits smoking of all tobacco products, including e-cigarettes, everywhere on property—both inside and outside—and encourages consideration of an enforcement policy. It should be modified to fit your property’s needs. Changes to one part of the policy may require changes to other parts as well, and the house rules should be incorporated by reference into the lease. A [model smoke-free lease addendum](#) is also available. This document is provided for educational purposes only and should not be considered legal advice.]

To promote the quality of air and the health and safety of all residents, all property is designated smoke-free. Smoking is not permitted anywhere on the premises, including individual units, common areas, and outdoor areas. “Smoke” or “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. *[Some smoke-free policies provide exceptions for traditional, ceremonial, and sacred uses of tobacco practiced by some tribal communities, while prohibiting the use of commercial tobacco. If this is an area you’d like more information about, please visit www.keepitsacred.org.]* “Smoking” also includes the use of an electronic smoking device, which means any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah.

Effective on [\[date of adoption\]](#), all residents and guests are prohibited from smoking anywhere on the premises, including: individual units and associated balconies, decks, or patios; common areas; and outdoor areas. Residents will inform their guests of the smoke-free policy.

Any deviation from the smoke-free policy by any resident, a member of their household, or their guest will be considered a violation of house rules and the lease. *[Consider referencing your process for handling lease violations or establishing a graduated enforcement protocol that describes how a first, second, and subsequent violations will be handled as well as what will be considered evidence of smoking.]*

Management will post “No Smoking” signs conspicuously outside and inside the building.

If a resident sees smoking or smells tobacco smoke in any place on the premises, they are to report this to building management as soon as possible. Management will promptly seek the source of the smoke and take appropriate action.

All residents will be given two (2) copies of the smoke-free policy. After review, the resident will sign both copies and return one to management for the resident’s file.

RESIDENT CERTIFICATION

I have read and understand the above smoke-free policy and I agree to comply fully with the provisions of the policy. I understand that failure to comply may constitute reason for termination of my lease.

Resident(s) Signature(s): _____

Apartment Number: _____ Date: _____