

Paterson Housing Authority
2009 Annual Plan

**NO SMOKING
POLICY**

October 2008

**HOUSING AUTHORITY OF THE
CITY OF PATERSON**

NO SMOKING POLICY

October 9, 2008

PATERSON HOUSING AUTHORITY

NO SMOKING POLICY

INTRODUCTION

The Paterson Housing Authority ("Authority") recognizes that smoking poses substantial health hazards, both to smokers and persons exposed to tobacco smoke; that smoking creates a fire hazard and is a leading cause of fire, causing injury and property damage; that smoking may be a serious nuisance to your non-smoking neighbors; and that permitting smoking in residential rental property substantially increases a landlord's maintenance costs.

The Authority further recognizes that these problems are exacerbated in multi-unit dwellings, particularly when the resident population is composed of senior citizens and families. Accordingly, the Authority has determined that it is in the best interest of the Agency and its residents to adopt a no-smoking policy for all public housing and senior citizen developments.

However, to ensure fairness to current residents who smoke, the policy will be applied to new tenants immediately, and to current tenants upon their next annual recertification.

POLICY

It is the policy of the Authority that all developments be smoke-free by December 31, 2009. There shall be no smoking anywhere in the building, including in the individual dwelling units of the tenants, lobbies, halls and other common rooms and spaces in the building. Smoking will be permitted on the grounds in a designated area assigned by the Authority.

This policy shall be effective immediately, and shall apply prospectively to current tenant upon their next annual recertification. Except for current residents who smoke and have yet to recertify, all other residents and successful applicants for admission shall be required to sign an addendum to the standard Authority dwelling lease setting forth the no-smoking policy and making compliances with the policy, terms and conditions of the Lease.

An addendum is attached to the lease and new residents will be required to sign the addendum as part of the initial lease-signing process.

Current residents who smoke shall be permitted to smoke in their rooms, so long as they keep the doors to their units closed until their next annual re-certification.

Paterson Housing Authority

"NO SMOKING"

LEASE ADDENDUM

Addendum to the DWELLING LEASE entered into by the parties and made a part of the DWELLING LEASE. It is the intent of the parties that the DWELLING UNIT, which is subject of this Lease, and all areas owned and operated by the Paterson Housing Authority, shall be *SMOKE FREE LIVING AREAS*.

Definitions:

1. "*SMOKING*" means possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product.
2. "*DWELLING UNIT*" means any unit within the Authority's public housing developed used for a residence, home or sleeping by members of the household listed on the Lease.
3. "*LANDLORD*" means the Paterson Housing Authority or Authority.
4. "*TENANT*" means any person entitled to occupy a dwelling unit under the Lease.
5. "*PREMISES*" means a dwelling unit in the Landlord's public housing development, which also includes the facilities, grounds, and property held out for the use of tenants and their guests.
6. "*EVIDENCE OF SMOKING*" means evidence such as ash trays with cigarette butts or cigars butts, ashes from previously light tobacco products, cigarette or cigar butts, and/or the smell of smoke from a previously light tobacco product in the dwelling unit and/or premises.

Violations:

It shall be a violation of the Smoking Ban, if a tenant and/or guest, is observed smoking in the dwelling unit or on the premises, unless in a designated smoking area. It shall also be a violation of the Smoking Ban if the Landlord finds Evidence of Smoking in the dwelling unit. Citations and fines will be issued to tenants for such violations and will be treated any other violation under the Lease, including eviction. Fines will be issues as follows:

- 1st Offense: \$25.00
- 2nd Offense: \$50.00
- 3rd + Offense: \$75.00

Paterson Housing Authority

"NO SMOKING POLICY"

LEASE ADDENDUM FOR CURRENT TENANTS*

IT IS A CONDITION OF THE LEASE, AND THE PARTIES HERETO AGREE, THAT THE DWELLING UNIT IS A PART OF THE _____, AND SAID PREMISES SHALL BE MAINTAINED BY THE TENANT AS A SMOKE-FREE DEVELOPMENT.

I, _____, acknowledge and understand that _____ is now a smoke free development, including, but not limited to dwelling units and common areas, such as lobby, halls, community room, elevator and all other common areas.

I understand that as a current resident _____, at the time this policy went into effect, I am permitted to smoke in my unit with the door closed until my next annual recertification, at which time I will no longer be able to smoke in unit. I further understand that I will not be able to smoke outside my unit, except in designated smoking areas while on the premises.

I understand that should I violate the terms of this agreement, I am subject to fines and penalties by the Authority.

BY SIGNING THIS ADDENDUM, TENANT ACKNOWLEDGES THAT HE/SHE UNDERSTANDS AND ACCEPTS THIS ADDENDUM AS PRESENTED.

Tenant Signature

Date

Housing Authority Representative

Date

*Until the time of annual re-certification, then tenant must sign the No Smoking Policy to make their unit smoke free.