



Boulder County Housing Authority

RESIDENT AND STAFF SMOKE-FREE POLICY FOR BCHA PROPERTIES

Effective August 17, 2015



P.O. Box 471, Boulder CO 80306-0471 | P: 303.441.3929/F: 720.564.2283 | www.bouldercountyhousing.org | Email: hoinfo@bouldercounty.org

HEAD OF HOUSEHOLD, PLEASE COMPLETE:

Last Name: _____ Development Name: _____ Unit Address: _____

Boulder County Housing Authority (BCHA) has determined that smoking will be prohibited in indoor and the majority of outdoor areas for all of its properties. This Smoke-Free Policy was created to prevent fire hazards, protect Residents, Staff and Guests from the health effects of secondhand smoke, and to alleviate increased maintenance costs.

Copies of this Policy shall be distributed to Residents and Staff of BCHA properties, and, as appropriate, to Guests.

DEFINITIONS

“Smoking” or “Smoke” is defined as either the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, cigarillo, hookah, weed, herbs, incense, or any other lighted smoking equipment, or the use of any Electronic Smoking or Vapor Smoking Device, as defined below.

“Resident” is defined as any resident, tenant, occupant, household member, and/or family member who reside(s) at a BCHA property.

“Guest” is defined as invited and non-invited personal visitors of Residents and Staff, and professional contractors.

“Staff” is defined as any Boulder County employee, including but not limited to, a Property Manager, Maintenance Staff or Occupancy Staff, as well as staff of any community agency partner working with Resident clients.

“Electronic Smoking or Vapor Smoking Device” is defined as an electronic or battery-operated device that provides a vapor of nicotine or any other substance and the use or inhalation of which simulates smoking. The term shall include every cigarillo, e-pipe, hookah, or any other product name or descriptor for such products.

RULES AND REGULATIONS

All Residents, Staff, and Guests must abide by the following:

SMOKE-FREE AND DESIGNATED SMOKING AREAS

Smoking shall not be permitted anywhere on the complex, other than in limited allowable specifically-designated smoking areas as identified by signage within designated properties. All designated smoking areas are located greater than 25 feet from buildings. Allowable smoking is limited to materials that are not prohibited by either federal or state law.

Smoke-free areas include, but are not limited to, individual residential units, balconies, patios, entryways, hallways, public restrooms, common areas, laundry rooms, elevators, stairways, adjoining grounds of buildings, playground areas, and any other areas without signage designating that smoking is allowed.

DISPOSAL OF SMOKING MATERIALS

Smoking-related products must be properly disposed of in a safe manner; for example, cigarette stubs shall not litter the ground and burning cigarettes should be stubbed out fully, prior to being placed in a trash receptacle.

GUEST COMPLIANCE

Each resident is responsible for informing their Guests (personal and business) of this Policy and for ensuring that all Guests comply.



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VIOLATIONS

Residents: Residents who do not comply with this Policy will be in violation of their lease, and repeated violations may result in the termination of their tenancy with BCHA. Additionally, Residents may be required to reimburse BCHA for the cost of remediation to any and all damage caused to the property. The following are the actions taken for Residents or their Guests for each violation through lease termination:

§ **First Violation** – Resident(s) will receive a written 3-day notice, demanding compliance with this Policy.

§ **Second Violation** – Resident(s) will receive a written 3-day notice demanding compliance with this Policy and will be required to attend a mandatory in-person meeting with their Property Manager.

§ **Third Violation** – BCHA will initiate the legal process for tenant eviction, and will inform the Resident(s) through a written notification.

Guests: Residents will be held responsible for violations of this policy by their Guests. Guests who do not comply with this Policy may also be asked to leave the property.

Staff: Any BCHA Staff who does not comply with this Policy will be addressed by their supervisor and may be subject to disciplinary action.

COMPLAINTS AND INVESTIGATIONS

Residents observing a violation of this Policy are encouraged to report it to their Property Manager in a timely manner. All complaints received will be investigated as confidentially as possible. When a complaint is reported, the Property Manager will investigate the source and will take appropriate enforcement action immediately. The Property Manager is required to obtain verifiable or personal knowledge of the violation prior to pursuing action regarding a complaint. All Residents are expected to cooperate fully with any such investigation.

ANTI-RETALIATION POLICY

Retaliation against individuals for reporting violations of this Policy or for exercising their rights under the law will not be tolerated. If a Resident believes they are being retaliated against, they should immediately report it to their Property Manager.

POLICY DISTRIBUTION AND ACKNOWLEDGEMENT

This Policy shall be provided to all new and current Residents of BCHA properties and BCHA Staff by the Property Manager during the following occurrences; for Residents, immediately upon adoption, prior to acceptance to the property, and prior to a lease-signing, and for Staff, immediately upon adoption or upon initiation of employment.

New and current Residents shall be given two (2) copies of this Policy. After review, the Resident must sign one copy and return it to their Property Manager. The Property Manager shall place the signed copy in the Resident's file. New Residents will receive this Policy at their lease-signing, and shall return it prior to move-in. Current Residents will receive this Policy after it has been adopted, and shall return it within fourteen (14) days of receipt.

DISCLAIMER

BCHA cannot and will not warrant or promise that any building or individual Resident unit located at any BCHA property will be completely free from secondhand smoke.

EFFECTIVE DATE

This Policy is effective as of August 17, 2015 at 8:00 a.m. MST.



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ACKNOWLEDGEMENT

I have read and understand this Policy and I agree to abide by its provisions.

I understand that failure to comply with this Policy may constitute a lease violation as outlined above.

I acknowledge that adoption of this Policy by BCHA does not make any of its managing agents the guarantor of my health or of the smoke-free condition of any of the properties. I further acknowledge that the Property Manager's ability to police, monitor, or enforce the agreements of this Policy is dependent in significant part on voluntary compliance by the Residents, Guests and Staff of the properties.

SIGNATURES

Head of Household (over age 18)
Name: _____

Date

Other Adult (over age 18) - Name:
Name: _____

Date

Other Adult (over age 18) - Name:
Name: _____

Date

Other Adult (over age 18) - Name:
Name: _____

Date

BCHA Property Manager –

Date

The Housing Authority of the County of Boulder, Colorado does not discriminate on the basis of handicapped Initial Status in the admission or access to, or treatment or employment in, its federally assisted programs or activities," within all materials and publications made available to applicants. tenants. and employees.