

SAMPLE HOUSE RULE LANGUAGE

(Not to be used without first obtaining legal advice)

Effective (date), name of property has adopted a “smoke free” policy for its housing in accordance with the provisions of HUD Notice H2010-21 (September 15, 2010). It has been well established that smoking cessation has demonstrated health benefits, and that second-hand smoke represents a serious health risk to non-smokers.

For the purposes of this policy, “smoking” includes tobacco that is lit and inhaled in any number of forms including, but not limited to, cigarettes, cigars, and pipes.

Optional Grandfather clause: This policy shall not be applicable to households who were in residence and under lease as of (date)

Optional Smoking area clause: We will establish an outdoor area that will be designated as “smoking permitted.” This area will be at least _____ feet from any entrance, and will be located in a location accessible to all residents.

After (date of implementation), smoking in dwelling units will be prohibited. (Owner/agent) reserves its rights including, but not limited to, termination of tenancy through eviction or the imposition of a reasonable charge for cleaning the unit in instances where a household has been found to be in violation of our “smoke free housing” rule.

SAMPLE LETTER TO RESIDENTS

(Not to be used without first obtaining legal advice)

(Date)

(Name)

(Address)

(City, State, Zip)

Dear (name of Head of Household):

I am writing to inform you that effective on (date), (name of property) will be adopting a “smoke free housing” policy in accordance with notice H2010-21 issued by the US Department of Housing and Urban Development (HUD) on September 15, 2010.

As a result, we are modifying our House Rules, a copy of which is attached.

Although this rule has no bearing or impact on your program eligibility for HUD housing assistance, violation of the policy can result in jeopardizing your tenancy with us.

In adopting this rule, we are mindful of the health benefits of smoking cessation, as well as the risks to non-smokers caused by second-hand smoke. We hope you will be supportive of our policy which, we trust, will benefit our entire community.

Please don't hesitate to contact us at (phone number) if you have any questions or concerns.

Sincerely,

(name of responsible official)

SAMPLE LETTER TO HOUSEHOLDS ON THE WAITING LIST

(Not to be used without first obtaining legal advice)

(Date)

(Name)

(Address)

(City, State, Zip)

Dear (name of Head of Household):

I am writing to inform you that effective on (date), (name of property) will be adopting a “smoke free housing” policy in accordance with notice H2010-21 issued by the US Department of Housing and Urban Development (HUD) on September 15, 2010.

This rule will have no impact on your eligibility for housing assistance from HUD. However, we reserve the right to enforce this rule during any tenancy, up to and including eviction.

If you wish to be removed from our waiting list, please send us a request by mail to the following address: (insert address). Your request must be in writing and must state your wish to be removed from the waiting list, along with your signature and date.

If you wish to remain on our waiting list, no action is required. **(Remove this sentence if you are sending the letter in connection with a Waiting List update).**

Please do not hesitate to contact us at (phone number) if you have any questions or concerns.

Sincerely,

(name of responsible official)

