
Landlords

Smoke-Free Policy Implementation for NEW Buildings

Establishing a no-smoking policy for a new residential building is easy to do and makes good business sense. Smoke-free buildings are cost-effective, safe and healthy. All of your tenants will be new, so there's no grandfathering and you can open your doors as a 100% smoke-free building from the outset. This section can apply to both new market rate buildings and non-profit housing.

Here are 4 easy steps to go smoke-free:

Step 1: Develop your policy

Decide which areas of the building the policy will cover. Since this is a new building, you are not bound by any previous policies or tenancy agreements. Most attractive to non-smoking tenants, and easiest to enforce, is to make your entire property smoke-free, including inside rental units, on patios and balconies, and the entire property. Here is sample language recommended by the Rental Owners and Managers Society of BC:

"It is a material term of this tenancy agreement that smoking of any combustible material in the rental unit or on the residential property is prohibited."

Step 2: Implement your policy

- Include the no-smoking clause in all new tenancy agreements.
- Request that tenants initial the no-smoking clause.
- Mention the no-smoking policy in the application form.

Step 3: Promote your policy

- Post "no-smoking" signage in common areas of the building and at all entrances. Download official no-smoking signage at www.bc.lung.ca.
- Advertise your smoke-free units in directories or websites where your building is listed. Going smoke-free is a clear marketing advantage.
- Register with the Smoke-Free Housing Registry at www.smokefreehousingbc.ca.

Step 4: Enforce your policy

No-smoking policies are largely self-enforcing. Your tenants will be your biggest supporters of the policy and will let you know when others are not following the rules. Treat violation of the no-smoking policy like you would any violation of a material term of the tenancy agreement.

If there is evidence that a violation has occurred, here are some steps to that can be taken:

- Issue a Caution Notice advising the tenant that:
 - They have breached a material term of the tenancy agreement (give specific examples of the breach);
 - Make a specific statement regarding the compliance required, such as "cease smoking anywhere on the residential property" or "confine your smoking to the designated area of the property"; and
 - Clearly state that failure to comply could result in the tenancy ending (eviction).

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- Document all violations and conversations with the tenant.
 - Try to get witnesses who agree to testify to incidents of smoking by the tenant.
 - If the tenant fails to comply with the Caution Notice, serve a one month *'Notice to End Tenancy for Cause'* using the appropriate Residential Tenancy Branch form.
 - If the tenant disputes the Notice to End Tenancy, you must provide evidence to prove the reasons for ending the tenancy.

Remember, lack of enforcement with one resident may hamper enforcement with other residents. Prompt, consistent action will send a clear message to all tenants that smoking is not allowed. Visit the enforcement section on our website for more information.