



White Plains Housing Authority's Smoke-Free Policy

Smoke-Free Policy Statement: “Smoking is not permitted anywhere inside any property owned or managed by the White Plains Housing Authority or any entity in which the White Plains Housing Authority has a partnership or ownership interest. Anyone smoking inside a WPHA property, and/or leaning out of a window to smoke, will be deemed in violation of this policy”.

1. **“Smoking” Definition:** “Smoking” means inhaling, exhaling, burning or carrying any lighted cigar, cigarette, electronic nicotine delivery system or vaporized nicotine product (electronic cigarette), pipe, hookah, or any form of lighted object or device that contains tobacco and/or marijuana, including but not limited to medical marijuana.
2. **Effective Date of Policy:** This policy becomes effective immediately for all residents, their guests, and all employees, contractors, business invitees who provide services to any WPHA properties.
3. **Enforcement Provisions:** Failure of any resident and/or his/her guests or visitors to follow the smoke-free policy will constitute a serious and material lease violation and will subject the resident to a termination of his/her lease. Before WPHA commences any eviction proceeding under this policy, the Authority shall first issue warnings, as follows:

- (a) 1st violation – the resident shall receive a written warning via USPS mail. A copy shall be placed in the resident's file.
- (b) 2nd violation – the resident shall receive a 2nd written warning via USPS mail. A copy shall be placed in the resident's file.
- (c) 3rd violation – the resident shall receive a termination notice as provided for in the WPHA lease.

4. **Signs:** WPHA will post "No Smoking" signs outside and inside of all WPHA buildings. Residents will be responsible for informing their guests and visitors that their apartment is smoke-free and that their housing may be affected by violators.

5. **Designated Smoking Areas:** Where the Executive Director approves, in his/her sole and absolute discretion, smoking may be permitted in a specified outside area on the property. Smoking is only permitted in that area. Under no circumstances shall outside smoking be permitted on WPHA property within 25 feet from any entrance or window, or building. WPHA will inform residents of the designated smoking area and it will be clearly posted. WPHA shall provide cigarette disposal receptacles for this area.

6. **Complaints:** Complaints about prohibited smoking and/or smoke migrating into a residential unit or common area should be made promptly to the management office. Complaints should be made in writing and should be as specific as possible, including the date, approximate time, location and suspected source of the migrating smoke. Complaints may be made anonymously. Complaint forms shall be made available at the management office.

7. **Complaint Investigations:** In circumstances where smoking is smelt or observed by staff, and/or reported by any person, WPHA will seek the specific source of the smoke and take appropriate action consistent with the enforcement provisions of this policy, as set forth in paragraph 3. Residents are encouraged to promptly notify WPHA staff of any incident where smoke is discernible in prohibited areas on WPHA property.

8. **Policy Distribution:** Upon adoption of this policy, all current residents of WPHA will be given two copies of the policy. After review, the resident will sign one copy and return the executed copy to the management office within ten (10) days after its distribution. The signed copy will be placed in the resident's file. New residents will be given two (2) copies of the smoke-free policy at the time they execute their lease. After review, the resident will sign one copy and return the executed copy to WPHA immediately. The signed copy will be placed in the resident's file.