

***PROMOTE SMOKEFREE
HEALTHY HOUSING
IN YOUR COMMUNITY***



GASP

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Purpose

- Learn about benefits of smokefree policies for multi-unit housing – health, economic.
- How such policies align with healthy housing and green government initiatives.
- Promote within your community smokefree housing as a component of healthy housing, which leads to improved public health and cost savings.



Audience

- Government agencies serve multi-unit housing
- Multi-unit housing (MUH) industry professionals
- Multi-unit residential property owners and managers
- Policy makers
- Community and Advocacy Groups



Smokefree Housing Trend

- **In recent years, landlords, property managers, and Public Housing Authorities** (PHAs) across the nation have taken the initiative to create smokefree housing policies (house rule or lease amendment).
- **Hundreds of PHAs, private affordable and market rate housing** companies have created smokefree policies that include private units and outdoors.
- **City ordinances restrict smoking** inside private MUH units (in California).
- **Not banning the person who smokes;** only banning the behavior of smoking.



Why smokefree multi-unit housing?

- Protect health of residents, workers, visitors
- Reduce fire risk/damages
- Economics – reduced operating costs
- Limit liability – disabilities, fair housing, fires
- High market demand
- Support from associations and media
- Global trend
- **Learn more @** <http://njgasp.org/housing.htm>

How secondhand smoke migrates?

- From one unit to another (floorboards, electrical outlets, shared ventilation/heating units).
- Migrates between rooms within a unit or home.
- Drifts from indoor common area (hallway) into a private unit; visa versa.
- Drifts up from private patio/balcony/window, into the private unit above.
- Drifts from outdoor common area into private unit.



Positive health effects of Smokefree MUH policies

- Smokefree policies for multi-unit housing (MUH) and single-family homes play a key role in creating healthy environments and lifestyles.
- Positive health effects of smokefree environment on not only residents, but on-site property management, contractors and visiting public health personnel.



Dangers of Secondhand Smoke

- **Secondhand Smoke (SHS) is a Class 'A' Carcinogen,** as per (EPA) Environmental Protection Agency (EPA).
- U.S. Surgeon General's Reports
- U.S. Centers for Disease Control
- U.S. Health and Human Services
- U.S. Housing and Urban Development
- World Health Organization



Thirdhand smoke exposure in MUH

New concerns with thirdhand smoke (THS), which is SHS that lingers after extinguishing a cigarette, cigar.

- Embeds as residue on any surface: walls, in carpeting, furniture, on clothing, in hair, toys, etc.
- Carcinogens and toxins in THS may affect brain development in babies and young children.
- Young children crawl on carpeting and suck on clothing, upholstery, skin, etc. that has THS residue.

Translates into expensive rehab costs!



U.S. Surgeon General's 2006 Report

- **The home remains the most serious venue for secondhand smoke exposure, moreso than workplaces.** In the U.S.:
 - Almost 60% of children ages 3-11 (approx 22 million children) are exposed to SHS.
 - 25% of children ages 3-11 live with at least one smoker.
- **Smoke-free rules** in vehicles and homes **can reduce SHS exposure among children** and nonsmoking adults (Section IV).



U.S. Surgeon General's 2006 Report

- **Health effects of SHS on children:**

- sudden infant death syndrome
- preterm delivery
- low birth weight
- childhood cancer risks

(Ch. 5, pp. 242-243)

- **Studies show that SHS can lead to:**

- An increase in fetal mutation
- Increased risk of miscarriage

U.S. Surgeon General's 2006 Report

Smokefree homes protect children, pregnant women, nonsmoking adults, esp. with health conditions, and sets a good example.

<http://surgeongeneral.gov/library/secondhandsmokereport> , chapters 5 and 10.

December 2010 U.S. Surgeon General's Report, *How Tobacco Causes Disease*

Chapter 9, A Vision for the Future:

- **Recommendation 9**: **State health agencies**, health care professionals, **and other interested organizations should undertake strong efforts to encourage parents to make their homes and vehicles smoke free.** (pg. 16)
- **Recommendation 14**: Physicians should also urge parents to keep a smoke-free home and vehicles. (pg. 17)

Appendix 9.2: *Ending the Tobacco Problem: A Blueprint for the Nation*, Committee on Reducing Tobacco Use: Strategies, Barriers, and Consequences, **Institute of Medicine**, 2007.

NEW! CDC's Healthy Homes Manual, *Smoke-free Policies in Multi-Unit Housing*

- **Released May 2011**

- For state and local Healthy Homes programs working to reduce secondhand smoke exposure in multi-unit housing.
- Provides field-tested strategies, recommendations, best practices and tools.
- Content from peer-reviewed research, practitioner interviews.
- Manual intended to frame issues, provide guidance for programs.

http://www.cdc.gov/healthyhomes/Healthy_Homes_Manual_WEB.pdf

Global public health support for smokefree homes

- U.S. Surgeon General, U.S. EPA
- World Health Organization (WHO)
- UICC World Cancer Campaign: 2007-2012
- Canada, UK, other jurisdictions

WHO Policy Recommendations: May 2007

- **Health Impact of SHS on children:**
 - Respiratory Illnesses and Symptoms
 - Worsens existing asthma; causes new-onset asthma
 - Reduces lung growth and development
 - Causes middle ear disease
 - Causes Sudden Infant Death Syndrome
- **Home is often the highest source of SHS exposure for children.**

http://www.who.int/tobacco/resources/publications/wntd/2007/pol_recommendations/en/index.html citing: *Summary of findings of the California EPA, 2005; U.S Surgeon General's Report, 2006*



WHO Policy Recommendation #4

- **Use public education to reduce smoking in the home:** smokefree legislation increases the likelihood that people will make their homes smokefree. (p. 6)
- **“Policies need to be developed** to address this setting, if public health is to be adequately protected.” (p. 21)

http://www.who.int/tobacco/resources/publications/wntd/2007/pol_rec_ommendations/en/index.html

Mid-Atlantic State Smokefree air laws

- Mid-Atlantic states have comprehensive statewide smokefree air laws, which may contain provisions that require common areas in multi-unit housing – check your state law:

- Connecticut

- Delaware

- District of Columbia

- Maryland

- New Jersey

- New York

- Pennsylvania



Smokefree Air Laws can include Private Housing Settings

- Creating smokefree policies for private home setting is not a novelty.
- Many smokefree air laws restrict smoking in home settings.
- Here in Pennsylvania and across the Delaware River in NJ....



Pennsylvania: protects children in childcare or state/county custody

Pennsylvania law: no smoking in private homes or vehicles

- Applies to indoor locations for child-care, or at
- “services related to the care of children and youth in state and county custody”, Pennsylvania
- Clean Indoor Air Act (Senate bill 246), effective Sept. 11, 2008. \$250 fine.

<http://www.postgazette.com/pg/08293/921162-454.stm>



NJ Smokefree Air Act requires 100% smokefree private home settings

- **100% Smokefree under the 2006 NJ Smoke-free Air Act (N.J.S. 26:3D-55 et.seq.), 2007 NJ Dept. of Health and Senior Services Regulations (N.J.A.C 8:6-1.1 et.seq.):**
 - Common areas of MUH(common rooms, foyers, hallways, stairwells, laundry rooms, elevators, etc.)
 - Nursing homes, residential healthcare facilities.
 - All college residential housing, faculty housing, rectories, convents when open to public, students, or a workplace.
 - Drug treatment facilities
 - Correctional facilities

NJ State Laws (continued)

- **OUTSIDE RESTRICTIONS:** No SHS wafting from outside into the interior of structure covered by the NJ Smokefree Air Act.

<http://njgasp.org/sfaa.htm>

- **Resource family homes/cars**

- N.J.A.C. 10:122C-7.2(a)(3)

- Defines resource family homes as foster homes, adoptive homes, family friend homes and relative care homes. NJ law requires to be smokefree:

- Resource family homes
- Vehicles transporting the resource family child
- Outdoors when resource family child is present

<http://www.state.nj.us/dcf/divisions/licensing/RFmanual.pdf>



Child custody court decisions based on SHS exposure

- New Jersey Family Courts review a checklist to determine child custody and visitation: **what is in the best interest of the child? The “Health and Welfare of the child”** is a category in that checklist.
- **Two precedent setting NJ court cases:**
 - 1994 Unger v. Unger – can’t smoke in home/car.
 - 2003 Montufar v. Montufar – can’t smoke in mother’s/grandparent’s homes and cars.
- **Other states** may apply child custody statutes.

Housing industry support

- **April 2011 issue of *UNITS Magazine***, published by the National Apartment Association. **Management companies are implementing "a smoke-free policy to stay ahead of the curve"**, as many industry experts predict government-mandated non-smoking standards for the multifamily housing industry in the next five to 10 years."
- **January 2011 issue of *UNITS Magazine*: [top trends of "What's In and Out" in apartment living](#). **Making the OUT list is "clouds of cigarette smoke"**.**

Housing Industry Support

- **January 2010 issue, *UNITS Magazine*:** Two Chicago apartment complexes discuss smokefree housing.
- **December 2007 issue of *UNITS Magazine*:**
 - ***“Fortunately, what is in the best interest of resident health is also in the best interest of community owners’ bottom lines.”***
- **July/August 2009 issue of *Apartment Insight* magazine:**
 - ***“The trend towards smokefree apartments is expected to spread across the nation, driven by consumer demand.”***

Support from Media

- **April 3, 2010 cover story in *Washington Post's*** advertising section for rental apartments entitled, "Smoke-free Apartments: A Healthy Choice for Renters".
- **July 26, 2009 *Las Vegas Review-Journal* article,** "Smoke-Free Apartments Get Healthy Response".
- **July 2009 *Newsweek's* Letter to the Editor:**
 - ***"Most important, [smokefree] means a healthier life for children."***

Economics: High Market Demand

- Woodbridge and Summit, NJ PHAs report approximately 90% of PHA apartments are nonsmoking, prior to their smokefree policy.
- 80+% of New Jerseyans are nonsmokers; 70% of smokers want to quit.
- Fewer units vacated in a smokefree building; no smoke seepage problems that cause tenants to move.
- **Market rate MUH housing views 100% smokefree policies as an amenity: residents willing to pay premium.**

Economics: smokefree MUH reduces operating costs

- **Lower rehab costs** for smokefree units: no need to repair or replace carpeting, floors, fixtures, countertops or appliances damaged by burns, nicotine stains and thirdhand smoke.
- **Faster turnover time** for smokefree units due to less preparation and repainting (one coat of paint vs. wash, prime and paint walls).
- **Less wear 'n' tear on ventilation systems.**
- **Discounted property casualty insurance.**

HUD's *Eco-Wise Newsletter**

September 2009: dedicated to smokefree housing MUH.

Health benefits + higher turnover costs to rehabilitate MUH smoking units to make it occupant-ready: more paint to cover smoke stains, clean ducts, replace stained window blinds, carpet, counters, fixtures damaged by cigarette burns and SHS/THS residue.

- **\$560 nonsmoking**
- **\$1810 light smoking**
- **\$3515 heaving smoking!**



*Published by HUD's Public Housing Environmental and Conservation Clearinghouse (PHECC). http://njgasp.org/HUD_sept09.pdf

National Center for Healthy Housing

- In September 2009, NCHH published *Reasons to Explore Smoke-free Housing*, a multi-page pamphlet as part of NCHH's **Green and Healthy Housing initiative**:
 - **Lower rehabilitation costs to turnover a smoking (\$560) vs. nonsmoking unit (\$3515)!**
 - Other cost saving measures and positive health effects from a smokefree MUH policy.

http://www.nchh.org/Portals/0/Contents/Green%20Factsheet_Smokefree.pdf

National Center for Healthy Housing

- **Nonprofit dedicated to creating healthy housing.**
- **May 2009**, NCHH Training Center's training materials discuss the benefits of smokefree MUH policies.

“Avoid Contaminants – Essentials for Healthy Homes Practitioners Course”:

- **Why Avoid ETS: Related Health Effects (asthma trigger in children, respiratory infections).**
- **Spiking particulate levels, when measuring air quality in residential buildings.**

http://www.healthyhomestraining.org/Practitioner/Essentials_9_Contaminant-Free_5-6-09.pdf

Reduced Fire Risk and Damage

- **Smoking is lead cause of residential fires, causing injury and death, and costly property damage.**
- Smokefree reduces fire risk. Lowers fire-damage costs.
- **National Fire Prevention Association recommends no smoking during home oxygen use in any portion of a residence.**
- Smokefree housing policies are important for **senior housing**, where portable oxygen use by senior citizens may be more prevalent.
- Smoking near portable oxygen equipment has resulted in explosions and fires, leading to death and injury.

Smokefree policies may limit liability

In smoking-permitted MUH, nonsmoking tenants' exposed to SHS may lead to legal issues:

- Breach of warranty of habitability / quiet enjoyment.
- Nuisance / trespass.
- complaints under the Fair Housing Act.
- Workers entering units where smoking takes place:
 - Violations of state laws against discrimination.
 - Violations 2009 Americans with Disabilities Act Amendment Act.

Protect at-home worker health

- Protect family members, visiting social service workers and building maintenance workers from SHS:
 - **chronic exposure to secondhand smoke is almost as deleterious to one's health (80%), as being a pack-a-day smoker.**

2005 UCSF study published in the journal *Circulation*

Selling point: Protect Pet Health

- **Protect family pets in pet-friendly housing:**
 - SHS is especially hazardous for infants, children, the elderly, and people with chronic diseases, cancer, or breathing disabilities.
 - Cats exposed to SHS were twice as likely to develop the feline lymphoma.
 - Pets can develop respiratory infections, lung inflammation or asthma when breathing in SHS.
www.fluffyquits.com, Erie-Niagara Tobacco-Free Coalition, New York

SMOKEFREE and SO FREAKIN' HAPPY



Fluffy  **Quits**
FluffyQuits.com

HUD: Tobacco Smoke Triggers...

- Since 2007, “tobacco smoke” is listed on **HUD's website as a trigger for allergies and asthma.**

➤ Allergies

➤ Asthma



<http://www.hud.gov/offices/lead/healthyhomes/allergens.cfm>

http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/healthyhomes/asthma

HUD's 7 Healthy Homes Principles

- In May 2008, HUD publishes **Seven Healthy Homes Principles**. 5th principal addresses SHS....
 - "**Keep your home Contaminant-Free**: Chemical exposures include lead, radon, pesticides, volatile organic compounds, and **environmental tobacco smoke**.
 - **Exposures to** asbestos particles, radon gas, carbon monoxide, and **second-hand tobacco smoke are far higher indoors than outside.**"

http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/healthyhomes

HUD's *Help Yourself to a Healthy Home*

- In January 2009, HUD publishes *Help Yourself to a Healthy Home*, a 58-page guide addressing the impact of tobacco smoke on indoor air quality.
 - Living with a smoker causes/adds to breathing problems and heart disease. (pp. 2, 26)
 - Cigarette smoke makes indoor air quality unhealthy. (p. 4)
 - "Tobacco smoking causes cancer and other major health problems. It's unsafe for children to be around smokers. Second-hand or environmental tobacco smoke can raise children's risk of ear infections and breathing problems. It can trigger asthma attacks, too." (pp. 9, 14)

http://www.hud.gov/offices/lead/library/hhi/HYHH_Booklet.pdf

HUD's Healthy Homes Strategic Plan

- In June 2009, **HUD unveils its *Healthy Homes Strategic Plan*, to support the U.S. Surgeon General's 2009 *Call to Action to Promote Healthy Homes*.**
 - Part of a larger CDC Healthy Homes Initiative.
 - Partners: National Center for Healthy Housing, Alliance for Healthy Homes, Coalition to End Childhood Lead Poisoning.

http://www.hud.gov/offices/lead/library/hhi/hh_strategic_plan.pdf

<http://www.hhs.gov/news/press/2009pres/06/20090609a.html>

<http://www.surgeongeneral.gov/topics/healthyhomes/transcript.html>

<http://www.hud.gov/offices/lead/hhi/index.cfm>

<http://www.hud.gov/offices/lead/healthyhomes/index.cfm>



July 2009 HUD Notice PIH-2009- 21 (HA)

- **Ground-breaking HUD policy:**

“This notice strongly encourages PHAs to implement non-smoking policies in some or all of their public housing units.”

- Dangers of secondhand smoke exposure.
- Fire-related risks associated with smoking.
- Improving indoor air quality inside public housing, with minimal costs.
- Decreasing maintenance and turnover costs associated with smoking-permitted units.

July 2009 HUD Notice PIH-2009- 21 (HA)

- U.S. Green Building Council and Indoor Air Quality (IAQ) requirements:
 - “[Environmental Tobacco Smoke] ETS is known to be an indoor air pollutant; as a result it would be difficult for a PHA to achieve good IAQ in its buildings if residents are allowed to smoke, especially indoors. “
 - “If a PHA does conduct renovations to improve IAQ without also implementing a non-smoking policy, the IAQ benefits of the renovation will not be fully realized.”

July 2009 HUD Notice PIH-2009- 21 (HA)

- **U.S. Green Building Council and Indoor Air Quality (IAQ) requirements:**
 - **A non-smoking policy is an excellent approach for those PHAs that are trying to achieve improved IAQ without the retrofit costs.**

www.hud.gov/offices/pih/publications/notices/09/pih2009-21.pdf



July 2009 HUD Notice PIH-2009- 21 (HA)

- PHAs can create a 100% smokefree “**house rule**” or **model lease policy**.
- “PHAs should consult with their resident boards...” (HUD Notice, para. 4)
- **Grandfathering** only required for as long as the state law requires.
- **See GASP brochure** for step-by-step implementation process in English and Spanish <http://njgasp.org/housing.htm>

Sept. 2010 HUD Notice H 2010-21

- **Follow-up to July 2009 HUD Notice.**
- Entitled, Optional Smoke-Free Housing Policy Implementation.
- **Clarifies July 2009 HUD Notice, new requirements:**
 - If PHA “implement[s] a smoke-free housing policy, must update their House Rules and Policies and Procedures, as applicable, to incorporate the smoke-free housing requirements.”

Sept. 2010 HUD Notice H 2010-21

- **Clarifies July 2009 HUD Notice, new requirements:**
 - “Encouraged to establish smoke-free policies that pertain specifically to their building and grounds including any common areas, entry ways, openings to the building (e.g. windows), and/or playground areas.”
 - Grandfathering current tenants is optional.
 - See more requirements @ <http://njgasp.org/10-21hsgn.pdf>



NEW! 2011 HUD Smokefree Housing Toolkits

- ***HUD developed new toolkits to help implement smokefree housing:***

- For Owners

- For Residents

- Listing of technical resource centers, e.g. Global Advisors on Smokefree Policy www.njgasp.org
- To be available in Winter 2012.

2007 EPA Smokefree Homes Program for Head Start Families

- **Educate** staff, parents of Head Start, Early Head Start programs on importance of **reducing children's exposure to environmental asthma triggers and the harmful effects of secondhand smoke.**
- **Promote and distribute** EPA's Asthma and Smoke-Free Homes Program **messages and educational materials** to Head Start and Early Head Start programs.

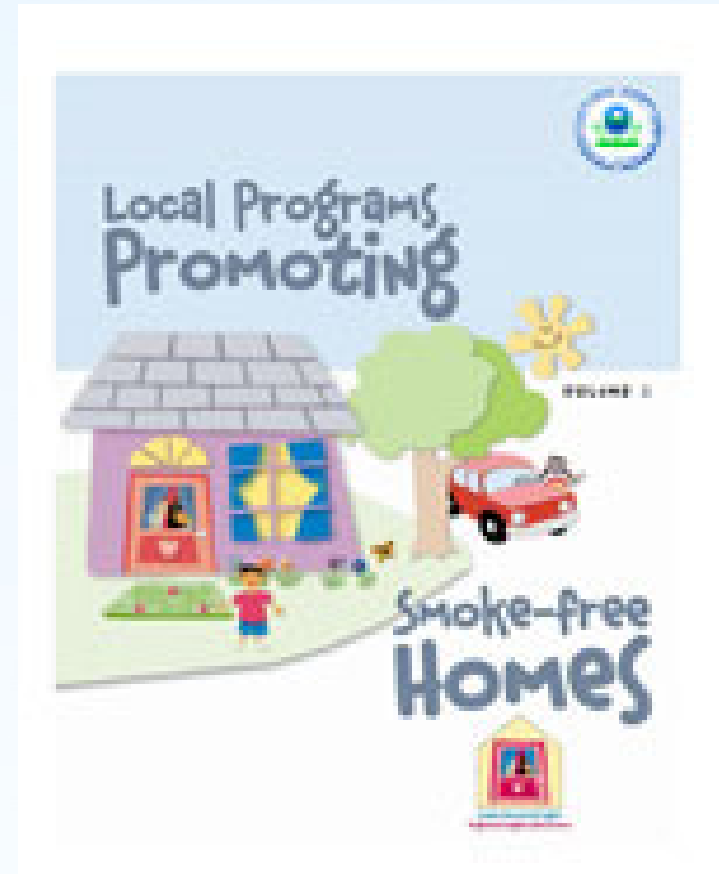
<http://www.epa.gov/iaq/headstart/index.html>

<http://www.epa.gov/smokefree/index.html>

EPA's Smoke-Free Homes for Head-Start Families



EPA bilingual smokefree home brochures



<http://www.epa.gov/smokefree/publications.html>

Tobacco cessation resources for residents

- **Provide when transitioning to smokefree MUH.**
- **State/federal quitlines:**
 - **Quitline** sponsored by NJ Dept of Health and Senior Services' Office of Tobacco Control, federally funded.
 - **Free and discounted smoking cessation programs** and/or meds via quitline phone counseling.

**NEW JERSEY
QUITLINE™**
I-866-NJ-STOPS
No More Excuses.
Free Phone Counseling That Works.
www.njquitline.org

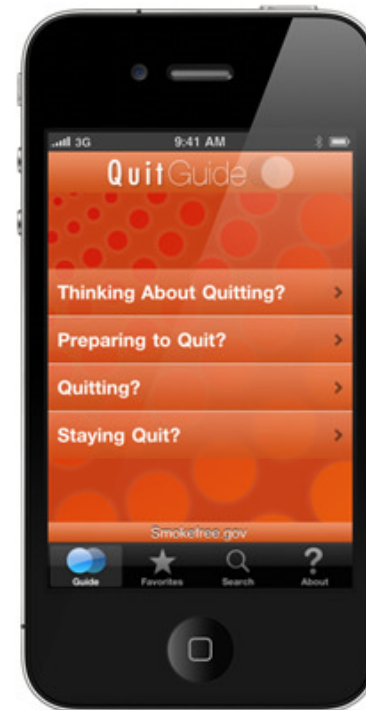
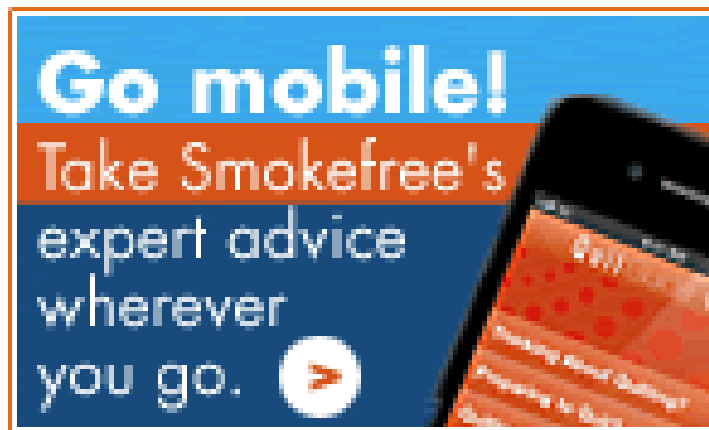
Use online resources, social media tools to help residents quit smoking

- CDC: www.smokefree.gov, www.gov/tobacco, www.women.smokefree.gov
- U.S. Surgeon General www.surgeongeneral.gov/tobacco
- U.S. Military www.ucanquit2.org
- American Legacy Foundation www.becomeanex.org
- iphone app mobile access
- Mayo Clinic <http://www.mayoclinic.com/health/quit-smoking/MY00433>
- Share contacts with private local quit centers for in-person cessation treatment; may offer group sessions at MUH. NJ quit resources at http://njgasp.org/quit_tobacco.htm

Federal CDC quit tobacco resources: websites, mobile text messaging, apps

www.smokefree.gov

www.smokefree.gov/apps



CDC quit smoking programs for women

Help mom's quit smoking:

http://www.cdc.gov/tobacco/calendar/may/mothers_day/index.htm?_cid=tobacco_021



CDC: <http://women.smokefree.gov/>

<http://www.facebook.com/smokefree.women>

<http://twitter.com/#!/smokefreewomen>



I took the
**Smokefree
Monday
Pledge!**



Quitting smoking
happens **one**
craving at a time.

One decision
at a time.

One Monday
at a time.

Learn more at
women.smokefree.gov

CDC's quit smoking e-cards

<http://smokefree.gov/ecards/index.aspx>



U.S. Military www.ucanquit2.org

U.S. Depts of Defense and Veterans Affairs collaborate to provide veterans with comprehensive cessation support.

Thinking about quitting, ready to quit, *help someone quit.*

Air Force

Army

Marines

Navy

Coast Guard



Community interest in Green Initiatives: Brand Smokefree MUH as Green

What makes a building green?

- When efficiencies are gained in energy, water and material usage, and
- When advances are made in how the building positively impacts human health and the environment.

Effective green building leads to:

- Reduced operating costs by increasing productivity and using less energy and water.
- Reduced environmental impacts by, for example, lessening storm water runoff.
- Seek to achieve not only ecological, but aesthetic harmony, between a structure and its surrounding natural and built environment.
- **Improved public and occupant health due to improved indoor air quality.**

Public expects *Green = Smokefree*

Public expects a green building to be healthy:

- Sustainable construction products.
- Environmental conservation.
- **Best air quality inside building, with no carcinogenic hazards such as secondhand smoke (SHS) and third-hand smoke (THS).**

Uphold “Green” Reputation

Allowing smoking in a green building is **inconsistent** with the branding of ‘green’:

- Misleads the public, residents on the level of indoor air quality (IAQ).
- Diminishes the reputation of the building’s developers, owners and managers, and green certification process.
- Smoking debris on a residential property harm the local environment and property appearance.

LEED Certification: Green Buildings

- **U.S. Green Building Council (USGBC)** is a Washington DC-based nonprofit, comprised of members from the building industry.
<http://www.usgbc.org/Default.aspx>
- Created the LEED green building certification program:
LEED = Leadership in Energy and Environmental Design.
- 3rd party certification process. Developers qualify for points from a checklist of options, to reach certification levels.
- **LEED-certified properties receive benefits:**
 - Good public relations, with LEED plaques and accolades.
 - Increase property values: higher rental fees, selling prices.

LEED allows smoking in MUH

- **ISSUE: LEED allows smoking in MUH buildings even though LEED-certified as gold, silver or basic.**
- **Result: Unhealthful IAQ (indoor air quality) for residents when building is smoking-permitted.**
- ***Only Platinum* LEED-certified projects need to be 100% smokefree indoors.** Platinum is most expensive LEED criteria tier.
- **Basic, Silver, Gold LEED-certified properties should be 100% smokefree: Properties can make own 100% smokefree policy, even if not required by LEED.**

Green Incentive\$ - HUD ARRA funding

- HUD's 2009 ARRA grant process awarded 1 point to applicants agreed to **“enforce a ‘no-smoking’ policy in all common and individual living areas in all buildings”**.
 - More points makes a PHA's application more competitive.
 - In Notice's *Strategy for Green Communities*. (pg 79)
 - Future HUD grants may include similar point award.

HUD 2009 Notice of Funding Availability (NOFA) for Capital Fund Recovery Competition Grants, American Recovery and Reinvestment Act of 2009.

<http://www.hud.gov/offices/pih/programs/ph/capfund/ocir/recoverynofa.pdf>

Green Incentive\$ - earn points

- **Enterprise Community Partners (ECP)** provides developmental capital funds and expertise, to enable developers to build/rehab homes that are healthier, more energy efficient and environmentally better.
- ECP launched **Enterprise Green Communities (EGC)**, a national "green building" affordable housing program.
- **EGC funding applicants must meet the EGC Criteria.** 2008 EGC Criteria was revised in 2011.
- <http://www.greencommunitiesonline.org/>

2011 EGC Criteria awards 9 points!

- **2011 Enterprise Green Communities Criteria** addresses aspects of design, development and operations. Mandatory and optional measures.
- To achieve EGC certification, all projects must achieve compliance with EGC Criteria **mandatory measures** applicable to that construction type.
- **New Construction** projects must also **achieve 35 optional points**; **Substantial and Moderate Rehab projects** must also **achieve 30 optional points**.

2011 Enterprise Green Communities Criteria 7.16

Awards nine (9) optional points to applicants if:

- **Implement and enforce a no-smoking policy in all common and individual living areas (2008), and with a 25-foot perimeter around the exterior of all residential projects (new for 2011).**
- The lease language must prohibit smoking in these locations, specify that it is a violation of the lease to smoke.
- **The no-smoking restriction applies to all owners, tenants, guests, and servicepersons.**

http://www.greencommunitiesonline.org/tools/criteria/EGC2011Criteria_final.pdf (p. 114)

Rationale for 2011 EGC 7.16 Criteria

- **Secondhand smoke is the third leading cause of preventable death in the country.**
- **Air filtration and ventilation systems do not eliminate the health hazards caused by SHS.**
- **Tobacco smoke from one unit may seep through** the cracks, be circulated by a shared ventilation system, or otherwise enter the living space of another.
- In addition to the negative health effects, smoking significantly increases **fire hazard and increases cleaning and maintenance costs.**

Criteria 7.17 points: 2008 vs. 2011

- The earlier 2008 Enterprise Green Communities Criteria 7.17 awarded **two points** to applicants that "enforce a 'no smoking policy' in all common and individual living areas in all buildings."
- 2011 7.17 Criteria now awards 9 points if 100% smokefree indoors, plus need 25 foot outdoor smokefree perimeter from building, must be in lease that it is a violation of said lease.

Developers receive tax credit incentive\$

- The federal and state governments offer financial incentives, *such as tax credits*, to developers who build or, acquire and rehabilitate, housing for low-income families and single residents.
- **LIHTC = Low Income Housing Tax Credits.**
- Developers of affordable rental housing **raise project equity (funding) by “selling” these tax benefits (tax credits) to investors**, who take a dollar-for-dollar credit against their tax liability over a period of years.
- Source: California’s Clean Air Project (CCAP), www.etr.org



Developers receive tax credit incentive\$

- **State finance mortgage agencies adopt tax-credit incentive programs - **Qualified Allocation Plans** - for low-income builders and affordable housing agencies.**
- **Some QAPs award optional points** to applicants who agree to adopt and enforce a smokefree policy. May require supplying quit-smoking resources to residents.
- **It's all about financial incentives:** Developers who agree to the QAP's smokefree housing policy will gain a competitive tax credit scoring advantage in their application.

Who's interested in tax credits?

- Government finance mortgage agency personnel involved with annual amendment of QAP.
- Government agency personnel spearheading 'green' affordable housing initiatives.
- Affordable housing developers who will benefit from adding in the smokefree policy tax credit.
- Investors who buy tax credits.

Competitive Scoring Incentives by State

- **Maine: 1 point** for 100% smoke-free building policy, **AND offer access to a smoking cessation program.** **Maine's Tobacco HelpLine phone number** should be available to all residents of the Project, through the resident service coordinator. (2007+).
- **Minnesota: 1 point** for 100% smokefree indoor policy (2010+).
- **St. Paul and Minneapolis, MN: each 1 point** for 100% smokefree indoor policy (2009+).
- **Dakota County, MN: 1 point** 100% smokefree indoor policy (2012).
- **Washington County, MN: Recommending 2012 QAP add 1 point.**

Competitive Scoring Incentives by State

- **New Hampshire:** 2 points for 100% smokefree indoor policy (2009, 2010).
- **Arizona:** .5 point for 100% smokefree indoor policy.
- **California:** 1 point if at least 50% of the units within a building are smoke-free and contiguous. (2006+).
- **Vermont:** Considered adding 100% smokefree to criteria in 2011. Reviewing options on how to cope with tenants who smoke, esp. military personnel and senior citizens.

Popularity of smokefree QAP points

- In 2009, **New Hampshire** began awarding 2 points for 100% smokefree property commitments.
- Result: 1 point award so popular in years 2009 and 2010, that 90+% of NH affordable housing is smokefree.
- Due in large part to advocacy efforts, plus only a handful of affordable housing developers in NH, most of whom decided to go smokefree for their properties.
- For 2011 QAP, NH removed the 2 point award because financial incentive no longer needed.



Popularity of smokefree QAP points

- In 2006, the **California Tax Credit Allocation Committee** (TCAC) added a one-point option.
- In the first round of applications in 2007, **24 of the 69 projects** that applied for federal LIHTCs from TCAC, **requested the smoke-free point.** (2007 LIHTC monthly report)
http://www.smokefreeapartments.org/Registry_Pix/Jack%20Nichol%27s%20Article.pdf
- As of Summer 2007, **38 out of 74 California housing authorities were recipients** of these tax credit points.
<http://asthmaregionalcouncil.org/uploads/Healthy%20Homes/SmokeFreePaperFINALcolor.pdf.pdf>



Popularity of smokefree QAP points

- In 2009, Minneapolis and St. Paul (both sub-allocators of tax credits in Minnesota), adopted a smoke-free point system. Low-income housing developers are awarded 1 point for committing to a 100% smoke-free building policy and including a non-smoking clause in lease agreements.
- The smoke-free point became available in the first round of 2009 applications. **In the 1st year in Minneapolis, 3 out of 9 applicants used the point, and 1 out of the 3 prospective smoke-free projects received funding. In St. Paul, 1 out of 4 applicants took the point and also received funding.**

Source: Warren Ortland, JD., Public Health Law Center, Minneapolis, MN

In 2010, Minnesota adopted 1 point

- **“One (1) point** will be awarded for projects that will institute and maintain a written policy* **prohibiting smoking in all the units and all common areas within the building/s of the project. The project must include a non-smoking clause in the lease for every household.** “
- “Projects awarded a point in this scoring criteria will be required to **maintain the smoke-free policy for the term of the declaration.**”

“*The written policy must be submitted with the application and should include procedures regarding transitioning to smoke-free for existing residents and establishment of smoking areas outside of units and common areas if applicable. Consequences of violating the smoke-free policy are determined by owner but must be included in the written policy.”

Source: Warren Ortland, JD., Public Health Law Center, Minneapolis, MN

Conclusions

- **100% smokefree housing policies positively impact resident health** – by providing healthy indoor air quality for residents and can help residents who smoke to quit.
- **Can lower operational costs and help reduce liability.**
- **Lead to changes in social norms** about the impact of SHS and THS on residents, visitors and pets.
- **Encourages healthy lifestyles** for residential communities.
- **Holistic approach to defining a green building** encompasses more than sustainable construction and materials.
- **Human behavior can diminish the benefits of green construction and materials**, rendering a building less sustainable and unhealthy to live in.

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