

Smoke-free housing: Info for tenants

What is smoke-free housing?

A home or building(s) where people live that does not allow smoking anywhere inside, including in any apartments

- Smoke-free housing includes areas around doors, entrances, porches, balconies, and windows, to keep smoke from getting inside
- A smoke-free “unit” is not the same as smoke-free “housing.” All units in a building need to be smoke free to keep smoke from getting into other units.

Is smoke-free housing legal?

Yes, completely legal. There is no legal “right to smoke” in buildings with multiple units where people live in Boston, the state of Massachusetts, or anywhere in the U.S.

Not discriminatory toward smokers

A no-smoking rule does not mean “no smokers.” Smokers are welcome to live, visit, or work in smoke-free buildings, as long as they follow the rules to not smoke in or near the building(s).

This is no different than tenants or visitors having to follow a no pet rule or a rule about quiet hours in a building.

What smoking products does a smoke-free policy include?

Anything that burns and is inhaled—tobacco, hookahs, and marijuana. Many landlords also include e-cigarettes, e-pipes, and other vaped products

What about medical marijuana? Landlords can prohibit smoking marijuana, including medical marijuana, under their smoke-free policy, based on Massachusetts law (105 CMR 725.650). Medical marijuana can be taken in ways other than smoking.

What about e-cigarettes? Research about the health effects of e-cigarettes is ongoing. Many landlords are not allowing the use of e-cigarettes in their building(s). Landlords do not need to allow e-cigarettes for any medical reasons, since e-cigarettes are not currently recognized as a medical device to help smokers quit.

How can smoke-free housing help me and my neighbors?

Smoke-free housing benefits everyone with clean air and safer homes.

Safety

Smoking in the home is a leading cause of home fires that kill people in the U.S. Smoking in the home is especially dangerous because it may come into contact with flammable furniture, bedding, curtains, clothes, and other items, and start a fire.

There are even more risks in buildings with a lot of elderly or disabled people who may not be able to escape from a fire. Close to half of all deaths from smoking-related fires in homes are people over the age of 65. And people who use home oxygen, which is very flammable, are at serious risk from smoking nearby because oxygen can explode, even when it is off, if a fire or spark is nearby.

How can smoke-free housing help me and my neighbors?

Secondhand smoke

Secondhand smoke is smoke that comes from someone else smoking. Secondhand smoke inside a building moves to other rooms and apartments and affects other tenants.

Smoke moves through ventilation, air conditioning and heating systems, cracks and openings in lighting and plumbing fixtures, electrical outlets, and under doors. The toxic gases and tiny particles from secondhand smoke can't be removed by ventilation or fans or by opening windows. The only way to not be around secondhand smoke inside is with smoke-free policies.

Smoking outside near windows, doors, entrances, porches, and balconies can also bring smoke into a building. This is why most smoke-free housing policies don't let tenants smoke near doors, entrances, porches, balconies and windows.

Health

Secondhand smoke is dangerous to everyone's health.

- Secondhand smoke has 250 toxic gases and tiny particles, including 70 that cause cancer
- The U.S. Surgeon General said there is no safe amount of exposure to secondhand smoke

Repeated exposure to secondhand smoke causes greater health risks, including:

- Asthma
- Chronic obstructive pulmonary disease (COPD)
- Heart attacks
- Stroke

Most people spend more time at home than at work or school—close to 15 hours a day on average. Children, the elderly, and people with disabilities—groups with the most serious health problems—may spend even more time at home and be around secondhand smoke even more.

Smoke-free housing is safer and healthier for everyone who lives and works in a building.

*For more information, including quit-smoking resources, go to:
www.BostonSmokeFreeHomes.org*