



The ALASKA GUIDE to ADOPTING **SMOKE-FREE HOUSING POLICIES**



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Created by the Alaska Smoke-Free Housing Partnership, a program of the Alaska Tobacco Control Alliance



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THE ALASKA SMOKE-FREE HOUSING PARTNERSHIP CAN HELP YOU

I'm thinking about going smoke-free.

This booklet should answer most of your questions. You can also visit the Alaska Smoke-Free Housing Partnership website at www.alaskatca.org.

The Alaska Smoke-Free Housing Partnership can give presentations on the benefits of smoke-free housing to your staff, decision-making board or tenants.

I've decided to go smoke-free.

The Alaska Smoke-Free Housing Partnership can provide a model lease addendum that you can customize and will work with you step-by-step to help you adopt and implement your smoke-free policy.

I'm implementing a smoke-free policy.

The Alaska Smoke-Free Housing Partnership can provide free smoke-free signs to place on your property.

SMOKE-FREE HOUSING - A GROWING TREND

Across the country, apartment owners and managers, landlords, housing authority professionals, condo owners and many others have discovered the benefits of adopting policies that eliminate smoking in and around their properties. While some went smoke-free years ago, the trend has grown significantly since the early 2000s.

Tens of thousands of market-rate buildings are now smoke-free. Public housing has also joined the movement and about 10 percent of public housing authorities in the U.S. are now smoke-free.¹ In Alaska, nearly 70 percent of the members of the Association of Alaska Housing Authorities have adopted smoke-free policies for their properties.

The national housing industry has begun to recognize the importance of smoke-free policies as well. Trade organizations like the National Apartment Association and the National Multi-Unit Housing Council have produced publications and articles on the benefits of and steps to adopting a smoke-free policy. Even the U.S. Department of Housing and Urban Development (HUD) has published several notices strongly encouraging public housing authorities and other HUD-funded buildings to go smoke-free.



“Smoke-free apartment communities not only promote a healthy resident population, but also a healthy bottom line for owners and investors.”

—Dave Watkins,
Chairman of the Board
of the National Apartment Association

Approximately 89 percent of all Alaskans do not allow smoking anywhere inside their home, including 75 percent of smokers, and 90 percent of Alaskans believe secondhand smoke is harmful.²

The trend toward smoke-free housing is beneficial to owners and renters alike, since smoke-free buildings are healthier and less costly to maintain. Unfortunately, the amount of available smoke-free housing still does not meet the market demand of renters who are looking for a smoke-free place to live.

Smoke-free buildings provide a unique yet desirable amenity for renters. This booklet will provide you with an overview of the benefits of and steps to adopting a smoke-free policy. For smoke-free housing assistance in your community, please contact the Alaska Smoke-Free Housing Partnership hotline at 1-888-474-4635.



“We’ve received positive feedback from tenants. Even people who smoke support living in smoke-free environments. It’s a marketing plus and positive.”

—Lindsey Dixon,
Cook Inlet Housing Authority

Smoke-Free Housing Programs

Smoke-free housing programs and resources have been developed to educate building owners, managers, renters, local policy makers and housing industry professionals about the benefits of creating smoke-free environments. These

resources assist with adopting smoke-free housing policies for properties, which include publically-owned and privately-owned multi-unit properties. Your local smoke-free housing program (see page

14) is available to help you navigate through the process of adopting a smoke-free policy, offering tools and assistance that will help as you contemplate, adopt and implement a smoke-free policy.



Free Resources from the Alaska Smoke-Free Housing Partnership:

- Consultations and presentations
- Sample tenant survey
- Research and resources on air movement in buildings, ventilation, secondhand smoke, and legal issues
- Model smoke-free lease addendum to incorporate into your current lease
- Online directory of smoke-free apartment buildings
- Cessation resources (1-800-QUIT-NOW)
- Mentorships with fellow housing professionals who have already adopted smoke-free policies for their properties
- Sample announcement letters to send to tenants
- Signs and window clings for buildings and grounds
- Strategies for advertising your smoke-free building

HEALTHIER BUILDINGS

There is no risk-free level of secondhand smoke exposure. Even brief exposure can be dangerous.³

Secondhand Smoke is Toxic

Secondhand smoke—the smoke that comes from a lighted tobacco product or is exhaled by a smoker—contains more than 4,000 chemicals.⁴ Of these, at least 250 are known toxins and more than 50 cause cancer.⁵

Some of the Toxic Chemicals in Secondhand Smoke

Acetone	found in nail polish remover
Acetic Acid	an ingredient in hair dye
Ammonia	used in household cleaners
Arsenic	used in rat poison
Benzene	found in rubber cement & gasoline
Butane	used in lighter fluid
Cadmium	active component in battery acid
Carbon Monoxide	released in car exhaust fumes
Formaldehyde	used to embalm dead bodies
Hexamine	found in barbecue lighter fluid
Hydrogen Cyanide	used in chemical weapons
Lead	used in batteries
Naphthalene	an ingredient in moth balls
Methanol	a main component in rocket fuel
Nicotine	used as insecticide
Polonium-210	radioactive and very toxic
Tar	material for paving roads
Toluene	used to manufacture paint

“We no longer have to call in a whole team to scrub and scrape a smoker’s apartment upon move out. Naturally, we embrace the reduced maintenance expense. By eliminating smoking in our units, our tenants and employees are breathing cleaner air, which is invaluable. Residents and their guests who have respiratory ailments, allergies, or other conditions relating to smoke are now able to breathe easier in our rental units and buildings.”

—Norton Gregory,
Tlingit-Haida Regional Housing Authority

Secondhand Smoke is a Health Hazard

- ◆ Ninety percent of Alaskans believe secondhand smoke is harmful.²
- ◆ Exposure to secondhand smoke is responsible for at least 3,000 lung cancer deaths and at least 46,000 coronary heart disease deaths in the U.S. each year.³
- ◆ Thousands suffer from diseases caused or made worse by secondhand smoke, such as emphysema, asthma, pneumonia and chronic bronchitis.³
- ◆ Secondhand smoke also causes strokes in non-smokers.⁶
- ◆ Secondhand smoke causes health problems for infants and children, including ear infections, weak lungs, respiratory infections and Sudden Infant Death Syndrome.³
- ◆ For every eight smokers who die from smoking, one nonsmoker dies from exposure to secondhand smoke.⁷
- ◆ Roughly 9,262 Alaska children are exposed to secondhand smoke in their homes.⁸



INDOOR AIR QUALITY

Air Flow Between Units is Significant



Research has shown that the air flow between units in apartment buildings is significant. It is difficult to reduce and virtually impossible to eliminate.⁹ Sealing air leaks in a unit to reduce secondhand smoke leakage is expensive and still not enough to completely eliminate the secondhand smoke problem.

Research conducted in apartment buildings where smoking is allowed concluded that indicators that secondhand smoke was present were greatest between 4 pm and 11:59 pm, when the most cigarettes were smoked; however, regardless of the time of day, a significant level of secondhand smoke particulate matter was still present on the premises.¹⁰

In the United States, smoking causes 87 percent of lung cancer deaths, 32 percent of coronary heart disease deaths and 79 percent of all cases of chronic obstructive pulmonary disease (COPD). Secondhand smoke exposure is now known to cause strokes in nonsmokers.⁶

Secondhand Smoke Cannot be Controlled by Ventilation and Air Purifiers

In their 2010 position document on secondhand smoke, the American Society of Heating, Refrigerating, & Air Conditioning Engineers (ASHRAE) stated: “At present, the only means of effectively eliminating health risks associated with indoor exposure is to ban smoking activity.”¹¹

Engineering approaches—such as air fresheners, cleaners and purifiers—are not effective. ASHRAE cautions that such devices should not be relied upon to control health risks from secondhand smoke, and instead “encourages elimination of smoking in the indoor environment as the optimal way to minimize exposure” to secondhand smoke.

Eliminating Smoking is the Only Way to Protect People from the Dangers of Secondhand Smoke

According to the U.S. Surgeon General’s 2006 report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*, ventilation systems can often distribute secondhand smoke throughout a building. While conventional air cleaning systems may be able to remove large particles from the air, they cannot remove the smaller particles and gases found in secondhand smoke.³

MARKET DEMAND: HAPPY TENANTS, HAPPY OWNERS

The Vast Majority of People Don't Smoke

In the U.S., 81 percent of adults are nonsmokers.¹² The same holds true in Alaska, where approximately 80 percent of the adult population does not smoke.²

Renters in Alaska Prefer Smoke-Free Housing

Approximately 89 percent of all Alaskans do not allow smoking anywhere inside their home, *including 75 percent of smokers.*² While most Alaskans prohibit smoking in their own homes, residents of multi-unit housing cannot control the secondhand smoke exposure caused by their neighbors.

Protecting the Most Vulnerable

While people from all walks of life live in multi-unit housing, the majority of these residents are among society's most vulnerable populations: the young, the elderly, the physically disabled, the mentally ill and those with chronic illnesses or chemical dependencies. Children, another population frequently found in multi-unit housing complexes, are also particularly vulnerable to the health dangers of second smoke.¹³

Already facing health inequities, millions of these residents are regularly and unwillingly exposed to the toxins of secondhand smoke in the very places where they should feel the safest: their homes.¹⁴ People spend approximately 68 percent of their time at home.¹⁵ Those who live in multi-unit housing have very little control over the air they breathe.¹⁶ What's more, residents of multi-unit housing often face fewer housing options, especially those with low incomes.

There are no federal or state laws requiring smoke-free areas in public housing or subsidized housing. Despite the lack of such policies, in an effort to reduce the burden of secondhand smoke on low-income tenants, HUD released toolkits for property owners and residents to help facilitate the transition to smoke-free housing.¹⁷ Implementing a smoke-free policy in your multi-unit housing property can significantly reduce the burden of secondhand smoke exposure on these vulnerable populations.

Owners Have Positive Experiences

When building owners first consider adopting a smoke-free policy, many are concerned about enforcement and legal issues. The actual experience of those owners who've gone smoke-free, however, is generally far more positive than they might have initially anticipated.



"We decided to go smoke-free because we had received complaints from our elderly tenants prior to adopting the policy."

—Dave McClure,
Bristol Bay Housing Authority



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“Our decision to go smoke-free was in response to a resident survey we conducted. The responding majority wanted to go smoke-free. We also knew that secondhand smoke disproportionately affects the most vulnerable, children and the elderly—two of our largest populations. Also, we decided to go smoke-free for operational reasons, specifically the cost savings due to reduced maintenance and turnover costs. It was a win-win situation, so there was no question that we would go smoke-free.”

—Lindsey Dixon, Cook Inlet Housing Authority



PROTECT YOUR INVESTMENT

Cleaning and Renovation Costs Are Lower

Smoking can cause extensive damage to apartment units. The smoke can leave sticky particles, residue and stains on walls, curtains, cabinets, blinds, appliances and fixtures. Dropped cigarettes and ashes can leave burn damage on tiles, carpets, curtains, countertops and bathtubs. Smoke odors can remain in carpets, curtains and walls for a very long time. Residue, burns and odors lengthen the turnover time and result in 2-3 times higher cleaning costs for building owners and managers.¹⁸

More Attractive to Renters

Many residents may decide not to rent an apartment if it has been smoked in. A smoky smell and residue, which is known as thirdhand smoke, is very difficult for a resident to eliminate on his or her own. Rather than risk becoming ill and having their clothing and furnishings absorb the smoky smell, they may decide to look for somewhere else to live.

Reduced Fire Risk

Cigarette-caused fires often result when a smoker—who may also be impaired by drugs or alcohol, or may have fallen asleep—drops or improperly disposes of a lit cigarette. A dropped cigarette can lie in furniture or bed linens and smolder for up to 30-45 minutes, eventually causing a fire or large amounts of smoke.²¹

Apartment Fire Facts

Apartments account for a larger share of smoking-related fires than other residential fires in the United States.¹⁹

Approximately 25 percent of victims who die in smoking-related fires in the United States are not the smoker whose cigarette caused the fire.²⁰

The average dollar loss per multi-unit housing fire was nearly \$44,000 per incident in 2010.¹⁹

Property Damage

On average, it costs 2-3 times more to clean a unit that has been smoked in than one that has not.¹⁸

Insurance Savings

It's possible to see some savings in your property insurance costs by going smoke-free. Some companies are beginning to offer discounts on insurance premiums to owners of smoke-free buildings.²² Ask your insurance company if they offer a discount for operating a smoke-free building. They may be willing to negotiate your rates when they find out you have a policy that helps protect your property.

Going smoke-free may also help your renters negotiate lower rates for renters' insurance. They'll appreciate the cost savings!

"Since going smoke-free, we've experienced decreased maintenance expenses. Carpeting cost is the main one—less smoke damage to the carpeting."

—Dave McClure,
Bristol Bay Housing Authority

SMOKE-FREE POLICIES ARE LEGAL

What Does Alaska Law Say About Smoking Policies in Rental Apartment Buildings?

There is no state law that prohibits landlords from making an entire apartment building smoke-free. In fact, it is legal to make all indoor and outdoor common areas, or entire properties, smoke-free.

Tenants' Rights

Tenants with disabilities made worse by being exposed to their neighbors' secondhand smoke may seek legal action under the Americans with Disabilities Act and the Federal Fair Housing Act. Possible accommodations could include developing or enforcing a smoke-free policy.⁷



What are the Legal Liabilities if My Building is Not Smoke-Free?

Residents could bring legal actions against a landlord for compromising their health by not implementing and enforcing a smoke-free housing policy. Several common law theories, including constructive eviction and breach of the warranty of habitability, have been used to bring successful legal action against landlords and smoking tenants.²³ While legal cases are rare, there is a growing likelihood of lawsuits if the landlord knows the dangers of secondhand smoke and does not act to reduce exposure.⁷

Is it Discriminatory to Designate an Entire Building or Apartment Complex as Smoke-Free?

No. Smoking is not a protected activity or right. An individual's status as a smoker is not a protected category or recognized disability.²⁴ A smart decision is to implement a policy based on the **activity** of smoking and not an individual's status as a smoker. Write the policy so that a person who smokes can continue to live in the building, but he or she must refrain from smoking in the building or other areas that are included in the policy.

Why Do I Need a Policy?

A written policy helps managers enforce the smoke-free regulation. It allows all residents and staff to have the same understanding about what is expected. If a policy is written into a lease addendum, building handbook or house rules, and is signed by all tenants, building managers will have an easier time dealing with a violation.



Adopting a Policy

How Long Does it Take to Convert My Building to Smoke-Free?

Phase-In Method: Begin immediately by having residents who move into the building sign a smoke-free lease addendum or policy. Immediately announce the policy change to current residents as well, and have them sign a smoke-free lease addendum or policy at the time of their lease renewal.

Quit-Date Method: Decide what date you would like the building to go smoke-free. Give your residents notice of the policy change and tell them that they must sign a smoke-free lease addendum before the policy change.

Reasonable Notice: You will want to notify your residents about the policy change in a reasonable period of time. Depending on your situation, reasonable notice could be 30-60 days.

"We decided to go smoke-free due to the complaints from tenants and maintenance staff regarding secondhand smoke within the buildings. A third deciding factor was the fire risk. Going smoke-free eliminates the possibility of catastrophe such as a fire."

—Guy Adams,
Northwest Inupiat Housing Authority

When is an Appropriate Time to Adopt a Policy?

Are you planning for new construction?

A smoke-free policy is easily adopted during construction and can help maintain the building's new, clean condition. Simply have all new tenants sign a smoke-free lease addendum with the primary lease agreement.

Are you renovating your building or purchasing an older building?

A smoke-free policy can help protect all of the labor and money you put into new carpet, paint or fixtures. The quit-date method may work best in order to ensure that your renovations are kept as clean as possible.

Are you adopting a policy with no changes to your building's construction?

Many owners adopt a smoke-free policy without renovating or doing major changes to the building. Either the phase-in method or the quit-date method could work in those instances.



What Areas of My Property Can be Covered by a No-Smoking Policy?

Individual Units

Covering all residential units ensures that smoke cannot drift from one unit to another unit in the building.

Outdoor Areas

You can choose to allow smoking in all outdoor areas, allow smoking in designated outdoor areas only, or prohibit smoking in all outdoor areas. Keep in mind that outdoor smoking areas should be a considerable distance away from entrances, windows, patios, balconies and ventilation intakes to prevent fires from starting in those areas and prevent smoke from drifting into the building. Limiting or prohibiting smoking outdoors can also reduce tobacco litter on your property.

Common Areas

For a list of some common areas that must be smoke-free, read the “Smoke-Free Policies are Legal” page.



How do I Adopt a Smoke-Free Policy?

1. Inform your tenants that you are thinking of adopting a smoke-free policy. Send out a survey or hold tenant meetings. Explain why you want to go smoke-free and get their feedback on the process. The Alaska Smoke-Free Housing Partnership has a sample tenant survey and is available to come to your building to give a presentation on the benefits of smoke-free housing.
2. Decide if the phase-in method or the quit-date method will work best for your building. Pick a date when you want the building to be completely smoke-free. Plan when you will need to begin giving tenants notice about the policy change. The Alaska Smoke-Free Housing Partnership has a tenant notification letter that you can modify and send to your tenants.
3. Renew existing leases and initiate all new leases with a smoke-free lease addendum or policy. The Alaska Smoke-Free Housing Partnership has a sample lease addendum and policy language available for your use.
4. Post signs on your property to remind everyone of the new policy. Free signs are available from the Alaska Smoke-Free Housing Partnership.
5. Advertise that your building is smoke-free!

What if I Have a HUD or Publicly-Funded Building?

According to the U.S. Department of Housing and Urban Development (HUD), owners of federally subsidized housing have the right to prohibit or otherwise restrict smoking. And on July 17, 2009, HUD issued a notice that strongly encourages all public housing authorities to adopt smoke-free policies for their buildings.²⁵



“We made all the housing smoke-free for two reasons: First, it is very costly to refurbish the apartments when someone’s been smoking in them—up to \$10,000 for one unit. Second, our mission is to enable seniors to live as independent as possible, for as long as possible, and one of the ways we can do that is to ensure they have clean indoor air to breathe.”

—Ingrid Ling, Executive Director, Wasilla Area Seniors, Inc.
(100% smoke-free housing since 2012)

The requirements for implementing a smoke-free policy in subsidized housing vary depending on the type of subsidy or assistance the property receives. For example, some properties can include the smoke-free language in the lease; others must implement the policy using house rules. The process to enforce a smoke-free policy can also vary by type of property.

Policy Enforcement Tips

- Though smoke-free policies are largely self-enforcing, let your residents know that there are consequences for violating the policy.
- The smoke-free policy should be enforced as you would any other lease provision.
- Contact your local smoke-free housing program if you have questions about enforcing your smoke-free policy.

Remember, if you don’t enforce your smoke-free policy, you will not have smoke-free units or happy tenants.



RESOURCES

Please see documents enclosed in this folder for resources such as: Sample Policy Language, Tenant Survey and Sample Letters.



Alaska Tobacco Control Alliance
Alaskatca.org



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Smoke-Free Multi-Unit Housing Programs — Alaska

Alaska Tobacco Control Alliance - Alaska Smoke-Free Housing Partnership: www.alaskatca.org/workgroups/alaska-smokefree-housing-partnership, 1-888-474-4635

American Lung Association in Alaska - Alaska Smoke-Free Housing Program: www.lung.org/associations/states/alaska

Alaska Tobacco Prevention and Control Program: www.dhss.alaska.gov/dph/Chronic/Pages/Tobacco

Alaska Mission100: www.mission100alaska.org

Smokefree Anchorage Coalition: smokefreeanchorage.org

Maniilaq Association: www.maniilaq.org

Nome Community Center: www.nomecc.org

Kodiak Area Native Association: www.kanaweb.org

National Council on Alcoholism & Drug Dependence (NCADD): www.ncadd-j.org

SouthEast Regional Health Consortium (SEARHC): www.searhc.org

Association of Alaska Housing Authorities: www.aahaak.org

Smoke-Free Multi-Housing Programs — National

National Association for Housing and Redevelopment Officials: www.nahro.org

American Cancer Society: www.cancer.org

American Heart Association: www.americanheart.org

American Lung Association: www.lung.org

Association for Nonsmokers: www.no-smoke.org

Change Lab Solutions: www.changelabsolutions.org

Public Health Law Center: www.publichealthlawcenter.org

Live Smoke Free: www.mnsmokefreehousing.org

www.mnsmokefreehousing.org/landlords/links.html

Campaign for Tobacco Free Kids: www.tobaccofreekids.org

Tobacco Cessation Services

Alaska's Tobacco Quit Line: www.alaskaquitline.com, 1-800-QUIT-NOW (1-800-784-8669)

Freedom From Smoking Online: www.ffsonline.org



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