



# HOUSING AUTHORITIES CITY OF EUREKA & COUNTY OF HUMBOLDT



735 WEST EVERDING STREET, EUREKA CA 95503  
PHONE: (707) 443-4583 FAX: (707) 443-4762 TTY: (800) 651-5111

## LEASE ATTACHMENT H SMOKE-FREE HOUSING

1. Purpose of smoke Free Housing: The parties desire to mitigate (1) the irritation and known health effects caused by secondhand smoke; (2) the maintenance, cleaning and costs attributed to smoking, and (3) the increased risk of fire from smoking. Adopting a smoke free policy is the best way to protect all Residents from exposure to secondhand smoke, which according to the CDC, there is no safe level of exposure to secondhand smoke, and even brief exposure can cause serious health problems.
2. Smoke: The gases, particles or vapors released into the air as a result of combustion, electrical ignition, or vaporization, when the apparent or usual purpose of the combustion, electrical ignition, or vaporization is human inhalation of the byproducts except when the combusting or vaporizing material contains no tobacco or nicotine and the purpose of inhalation is solely olfactory, such as, for example, smoke from incense. The term SMOKE includes, but is not limited to tobacco smoke, electronic cigarette vapors, marijuana smoke, crack cocaine smoke, and any other item producing "smoke" intended for inhalation.
3. Smoke -Free Complex: Resident agrees and acknowledges that the premises to be occupied by Resident and members of the Resident's household have been designated as a smoke-free environment. Resident and members of Resident's household shall not smoke anywhere in the unit rented by the resident, in the building where the Resident's dwelling is located, or in any common areas, or within 30 feet from any entrance, opening or exit of any enclosed area, including windows and ventilation ducts, nor shall Resident permit any guests or visitors under the control of resident do so.
  - NO SMOKING IS PERMITTED WITHIN 30 FEET OF ANY HOUSING AUTHORITY PROPERTY.
  - Smoke-free areas include parks, picnic areas, playgrounds, fields, and any shared outdoor space such as walking paths and gardens.
  - No person shall dispose of smoking waste or tobacco waste within the boundaries of an area in which smoking is prohibited. This includes tenant's front and back of units, any porch or balcony, and any other space on the rental property.
  - No person shall place or cause to be placed an ashtray, tobacco ash collector or receptacle in any area designated a smoke free area.
  - A smoking violation will be enforced similar to any other lease violation: it will start with a verbal warning, then a written warning, and will eventually lead to eviction if tenant remains committed to not observing the lease. The response time for complaints regarding smoking will be done in a consistent and timely manner.
  - Residents will be held responsible for any smoking violations that occur from family members/friends/visitors to unit. \*Remind your family/friends/guests we are a SMOKE FREE PROPERTY.\*



The Housing Authorities are Equal Housing Opportunity Organizations





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## LEASE ATTACHMENT H (continued)

4. The Housing Authority is Not a Guarantor of a Smoke Free Environment: Resident acknowledges that the Housing Authority's adoption of a smoke free living environment, and the efforts to designate the rental complex as smoke free, do not make the Housing Authority the guarantor of Residents' health or the smoke-free condition of the residential unit and/or the common areas.
5. The Housing Authority shall take reasonable steps to enforce the smoke free terms of its lease/House Rules and to make the complex smoke free with the support of the Community Liaison and Housing Authority staff.
6. Effect of Breach and Right to Terminate Lease: A breach of the Smoke Free Addendum shall give each party all the rights contained herein, as well as the rights provided for in its Lease. A material breach of this Addendum by the Resident shall be a material breach of the LEASE and grounds for immediate termination of the Lease by the Housing Authority.

The Housing Authority acknowledges that in declaring this unit to be smoke-free, the failure to respond by the Housing Authority to a complaint filed by a Resident shall be treated as equivalent to a failure to respond to a request for maintenance.

7. **DISCLAIMER** by Housing Authority: Resident acknowledges that the Housing Authority's adoption of a smoke free living environment, and the efforts to designate the rental unit as smoke-free, does not in any way change the standard of care that the Housing Authority would have to a resident household to render buildings and premises designated as smoke-free any safer, more habitable, or improved in terms of air quality standards than any other rental premises. The Housing Authority cannot and does not warranty or promise that the rental premises or common areas will be free from second-hand smoke. Resident acknowledges that the Housing Authority's ability to police, monitor, or enforce the agreement of this Smoke Free Addendum is dependent in significant part on voluntary compliance by Resident and resident's guests. Residents with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that the Housing Authority does not assume any higher duty of care to enforce this Lease Addendum than any other Housing Authority obligation under the Lease; however, the Community Liaison will have an expectation that all Residents will abide by the agreements of their Lease and will be communicating with residents frequently and using every opportunity to answer questions and encourage Residents to have a full and complete understanding of their lease and agreements.



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**LEASE ATTACHMENT H  
SMOKE-FREE HOUSING  
Acknowledgement**

If you have any questions or concerns about the ability to abide by the smoking policy, please contact the Community Liaison:

Ty Leschke, Community Liaison  
(707) 443-4583 ex 211  
(707) 599-0945

**Tenant Acknowledgement:**

Head of Household: \_\_\_\_\_

Other Adult: \_\_\_\_\_

Other Adult: \_\_\_\_\_

Other Adult: \_\_\_\_\_

**Resources for Smoking Cessation:**

**Community Wellness Center**

908 Seventh St. Eureka,  
CA 95501  
(707) 268-2132  
Open 8:30am-5:00pm; closed noon to 1:00pm

**Kick It California**

(800) 300-8066

Kick It California is a telephone, text, app, and chat-based tobacco cessation program. Services are free, evidence-based, and are offered in many languages. It is funded by the California Department of Public Health, California Tobacco Control Program.

**Tobacco-Free Humboldt**

Tobacco-Free Humboldt works to create a healthier Humboldt County by preventing and reducing nicotine exposure.

Email: [TobaccoFreeHumboldt@co.humboldt.ca.us](mailto:TobaccoFreeHumboldt@co.humboldt.ca.us)



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