

MODEL LEASE CLAUSE

Use Lease Clause to Ban Smoking Site-Wide

This clause prohibits smoking in or near the building, makes residents responsible for ensuring that their family members, guests, and invitees comply with the rule, and tells residents that they'll have to tolerate their neighbors' smoking until all existing leases expire. Talk to your attorney about adapting this clause for your own use, and make sure to get HUD approval before you start using it.

SMOKING

Due to the increased risk of fire, increased maintenance costs, and the known health effects of secondhand smoke, smoking is prohibited in any area of the site, both private and common, indoors and within 25 feet of the building(s) including entryways, balconies, and patios. This policy applies to all residents, guests, and service persons. Tenants are responsible for ensuring that family members, roommates, and guests comply with this rule.

[Insert if you are "phasing in" the policy:]

All new and renewed leases in your building prohibit smoking as described here. Please be aware that, until all leases have been renewed, you may have neighbors whose current lease does not prohibit smoking.

DEFINITION **SMOKING:** The term "smoking" means any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, or other tobacco product in any manner or any form.