

HOUSING AUTHORITY OF THE CITY OF NEW BRITAIN

16 Armistice Street, New Britain, CT 06053

SMOKE-FREE POLICY

In accordance with HUD regulations, the Housing Authority of the City of New Britain (Authority) has adopted these smoke-free policies. The policies are effective as of July 30, 2018.

Due to the increased risk of fire, increased maintenance costs, and the known health effects of secondhand smoke, smoking is prohibited in all living units and interior areas, including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures. Smoking is also prohibited in outdoor areas within 25 feet from public housing and administrative office buildings.

This policy applies to all employees, residents, household members, guests, and service persons. Residents are responsible for ensuring that household members and guests comply with this rule.

The term "smoking" means any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other prohibited tobacco product in any manner or any form. Prohibited tobacco products include water pipes or hookahs.

Violation of the smoke-free policy constitutes a violation of the terms of the public housing lease. Consequences of lease violations include termination of tenancy.

POLICIES

Designated Smoking Areas

The Authority has determined that the following areas are 25 feet from public housing and administrative office buildings; these areas will be designated by signs and/or markers:

Knapp Village: Both sidewalks that run along the main streets. All the parking areas on Halsey Rd. and Upton St. The open field behind Upton St.

Oval Grove: The inner and outer sidewalks that run the entire Circle. The large parking area in the center of the Circle on the even side. The other large area as you enter the community from Skipper St.

D'Amato: There is no designated area available outside of the building.

Bond St.: The clothesline areas near the row of benches between buildings. The parking lot. The outer sidewalks that run around the community.

Graham: Front side walkway only to the right to the street and along that walkway at MLK. The parking lot.

Ribicoff: Front sidewalk near the street at MLK. The parking area to the left beyond the 25' guidance. To the right, anywhere beyond the benches on the patio.

Kennedy: Front out beyond the small rose bush to the sidewalk. All along the sidewalk on East Main and along MLK. Parking lot from middle to the fence along the highway.

Bench area at right side, *only one bench falls within the 25' guidance*. Anywhere on the lower side of the wall between Kennedy and Ribicoff.

Mt. Pleasant: The center green that runs the length of Richard St. The ball field beyond the sprinkler pad. The run planter at the end of Richard and to the right going into overflow Authority parking and community garden. Both Myrtle St. parking areas. Also Richard, Leo and Armistice St. parking areas. The sidewalk that runs completely around the outer boundary of the community.

Individuals using the designated smoking areas must extinguish all smoking materials and dispose of them safely in receptacles provided for that purpose.

Electronic Nicotine Delivery Systems (ENDS)

Electronic nicotine delivery systems (ENDS) include e-cigarettes, nicotine inhalers, and vaping devices.

Use of ENDS is not permitted in public housing units, common areas, or in outdoor areas within 25 feet from housing and administrative buildings.

Effective Date

The Authority's effective date(s) of this smoke-free policy is/are as follows:

The smoke-free policy will be effective for all residents, household members, employees, guests, and service persons on July 30, 2018.

Enforcement

The Authority must enforce smoke-free policies when a resident violates this policy. When enforcing the lease, the Authority will provide due process and allow residents to exercise their right to an informal settlement and formal hearing. The Authority will not evict a resident for a single incident of smoking in violation of this policy. As such, the Authority will implement a graduated enforcement framework that includes escalating warnings. Prior to pursuing eviction for violation of smoke-free policies, the Authority will take specific, progressive monitoring and enforcement actions, while at the same time educating tenants and providing smoking cessation information. *The lease will identify the actions that constitute a policy violation, quantify the number of documented, verified violations that warrant enforcement action, state any disciplinary actions that will be taken for persistent non-responsiveness or repeated noncompliance, and state how many instances of noncompliance will constitute a violation.* Tenancy termination and eviction will be pursued only as a last resort. The Authority may terminate tenancy at any time for violations of the lease and failure to otherwise fulfill household obligations if resident behavior disturbs other residents' peaceful enjoyment and is not conducive to maintaining the property in a decent, safe, and sanitary condition.

Graduated Enforcement Framework:

“Evidence” of an alleged violation may include ‘signs of smoking’ during inspections, photographs, written reports and/or witness statements. When presented with such “evidence”, the Authority will address alleged violations as follows:

- 1st property manager visits with a copy of policy
- 2nd property manager delivers written complaint
- 3rd property manager delivers written complaint with requirement for a private conference if there is another violation
- 4th private conference and written agreement to comply
- 5th forwarding to legal process

In accordance with the above Graduated Enforcement Framework, repeated violations of the smoke-free policy may rise to the level of other good cause for termination of tenancy through the legal process.

If the resident does not have any new violations for six (6) months, the resident will be considered to have a clear record, and no further enforcement action will be taken.

Reasonable Accommodation

While addiction to nicotine or smoking is not a disability, the Authority will provide reasonable accommodation to persons with disabilities who smoke that are in compliance with the requirements of this smoke-free policy. However, the Authority is not permitted to allow continued smoking in a restricted area.

Acknowledgment

I acknowledge that I have read and understand the provisions of this Smoke-Free Policy.

Resident Sign and Print Name

Date