



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ◆ Aaron Gornstein, Undersecretary

April 1, 2014

To All Local Housing Authority Executive Directors,

Over the past few years, DHCD has heard from residents and local housing authorities (LHAs) expressing interest in implementing no-smoking policies in state-aided public housing developments. Medical research and environmental studies have demonstrated the negative impacts of second-hand smoke to people and the environment. As a result, there is concern and heightened awareness about these issues.

DHCD recognizes that the impacts of smoking and second-hand smoke are important health issues. Local housing authorities are required to prohibit smoking in all of the common areas of state-aided housing developments, including lobbies, LHA offices, hallways, elevators, stairways, laundry, and community rooms. We have also worked with LHAs to ameliorate or eliminate smoke migration from one unit to another.

The state-aided public housing portfolio varies from three-story walk-ups, to scattered site properties, garden-style apartments, and high-rise buildings. The portfolio serves low-income families, elderly, and handicapped households. Most units are attached, sharing common walls and hallways. Residents live, not only side by side, but also above and below one another. Additionally, the majority of the developments have central HVAC systems that circulate air throughout entire structures. All of this makes it difficult to fully prevent smoke from spreading from one unit to another or eliminating smoking odors.

After considering the impact on residents and the availability of affordable housing, DHCD encourages local housing authorities to develop, adopt and implement a smoke-free housing policy in their state-aided public housing units. Policies would state that tenants cannot smoke in the housing authority's buildings and units; policies cannot instruct applicants or tenants to stop smoking. LHAs cannot limit applications for housing to applicants that do not smoke, nor can they force a tenant to quit smoking in order to maintain their continued occupancy of state-aided public housing. Whether an applicant or tenant does or does not smoke has no bearing on the LHAs smoke-free housing policy. The LHA must have information regarding smoking cessation programs and resources available to tenants that express an interest in quitting.

Attached is a guideline, Public Housing Notice 2014-08, to assist LHAs that choose to implement a smoke-free housing policy. Included is a list of agencies and resources that are available to assist you in developing and implementing a policy. DHCD staff is always available to provide assistance. LHAs are reminded that enforcement of no smoking in common areas, such as those listed above, is mandatory. (Please Reference M.G.L. Chapter 270, Section 22, Smoking in Public Places.)

Thank you for your housing authority's consideration of developing, adopting and implementing a smoke-free housing policy.

Sincerely,

A handwritten signature in blue ink, appearing to read "Aaron Gornstein".

Aaron Gornstein, Undersecretary