



## Non-Smoking Policy

The Holbrook Housing Authority has adopted the following Non-Smoking Policy:

**Definition of Smoking.** The terms “smoke” or “smoking” shall include the inhaling, exhaling, breathing, carrying or possession of any lighted cigarette, cigar, pipe, E cigarettes, joint, vapor cigarette, marijuana cigarette or other tobacco product or similar lighted product in any manner or in any form.

No Tenant shall smoke in his/her unit. Tenant shall not allow his/her family members, occupants, invitees or guests to smoke in the Tenant’s unit. Smoking shall be prohibited throughout the entire buildings including but not limited to, inside all tenants’ units, hallways, stairways, foyers, common rooms and facilities, decks, patios, exterior landings, front steps, entrance way, roof tops, fire escapes, basements, storage areas, adjoining grounds and building facilities. Smoking is allowed 25 feet away from all buildings.

Tenant shall inform Tenant’s guests of non-smoking policy. Tenant shall promptly notify the Holbrook Housing Authority Property Manager of any incident of smoking in their units or common areas.

Violations of the non-smoking policy shall be considered a material non-compliance with the lease requirements and may result in termination of tenancy.

If the Holbrook Housing Authority receives a complaint from a tenant, employee or anyone lawfully on the property that there was the smell of smoking in units or common areas, the housing authority reserves the right to proceed with termination of tenancy.

Failure to abide by this Policy will result in a material breach of the lease and is grounds for termination.

Disclaimer: Tenant acknowledges a) that the adoption and/or enforcement of the no smoking policy shall not make the Holbrook Housing Authority a guarantor of Tenant’s health; b) the adoption and or /enforcement of the no smoking rule shall not, in any way, change the warranty of habitability, the covenant of quiet enjoyment, or other duty of care owned to the Tenant; and c) that the PHA’s ability to police, monitor, or enforce the no smoking policy is dependent in significant part on compliance and cooperation by the Tenants. The HHA Specifically disclaims any implied or expressed warranties that the building, common areas, or Tenants’ premises will have higher or improved air quality standards than any other rent property. The HHA cannot and does not warranty or promise that the unit or common areas will be free from secondhand smoke during enforcement efforts by the HHA or based on the migration of secondhand smoke originating from the property. The HHA reserves the right to alter and revoke the no smoking policy at any time and in its sole discretion, whether sufficient evidence of a violation exists which would justify proceeding with the termination of tenancy.



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