

Smoke-Free Environments Law Project

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PRESS RELEASE

FOR IMMEDIATE RELEASE

June 30, 2004

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mismokesfreeapartment.org Campaign Announced to Promote Smoke-Free Apartment Policies

Responding to the many complaints we have received in recent years from tenants in apartments about secondhand smoke seeping into their units from adjoining apartments, as well as questions from landlords about their right to adopt smoke-free policies, the Smoke-Free Environments Law Project (SFELP) of The Center for Social Gerontology, Inc., (TCSG), today announced the initiation of a new campaign to encourage landlords to adopt smoke-free policies in their apartment buildings.

The centerpiece of the smoke-free apartment campaign is a new web site called **mismokefreeapartment.org** which stands for "Michigan smoke-free apartment." The web site has two major sections – one targeted to landlords, and one to tenants. The smoke-free apartment campaign also includes billboards, two radio ads, a series of postcard mailings to landlords, and assistance from SFELP in going smoke-free.

"Currently very few landlords are aware that they have a legal right to adopt smoke-free policies in their apartment buildings and that there is no 'right to smoke'. Likewise, most tenants are unaware of their rights to a smoke-free environment," stated Jim Bergman, TCSG Co-Director and director of SFELP. "It is our hope that landlords will take advantage of the information and assistance we are making available and will begin adopting smoke-free policies in their apartments, since this is an area in which voluntary action is preferable to enacting smoke-free apartment laws." Bergman added, "the information on the web site also makes it clear that going smoke-free saves money for landlords and makes for better relations among tenants. Inasmuch as the vast majority of tenants are not smokers, the market for smoke-free apartments is much larger than for smoky apartments with angry and squabbling tenants."

The web site provides extensive information – and links to more information – on the rights of **landlords** to make entire apartment buildings (or portions thereof) smoke-free. The site includes links to legal opinions from the federal Department of Housing and Urban Development (HUD) and the Michigan Attorney General stating that landlords

have the right to make all areas in their apartment buildings smoke-free, including inside apartment units (while allowing current smoking tenants to continue being able to smoke in their units until such time as the terms of their lease are changed to require them to also be smoke-free).

The site also provides information for **landlords** on myths about problems in going smoke-free, landlord's rights to adopt smoke-free policies, legal liabilities of not going smoke-free, how smoke-free policies save money and maintenance, tools for going smoke-free, including model lease language, and information on learning more and obtaining assistance from SFELP in moving forward on becoming smoke-free. There is also a special downloadable PowerPoint presentation for use with current tenants and employees to assist in making the transition to a smoke-free apartment building.

The other major section of the site provides equally extensive information for **tenants** who want to live in a smoke-free apartment. Information on tenants' rights includes legal remedies which may be available, the HUD letter and Attorney General Opinion, an analysis of the federal Fair Housing Act and how to file a complaint, as well as information on the health hazards of secondhand smoke.

The **tenant** site also provides a resource section which includes "quick fix" ideas, an extensive list of links to useful legal, housing and apartment information/resources, and a to-be-developed listing of smoke-free apartments in Michigan. The "did you know" section provides additional information on secondhand smoke.

The **mismokefreeapartment.org** web site is accessible now, as is assistance from SFELP for Michigan tenants and landlords. SFELP will be working throughout the coming year in Michigan with local landlord associations, health and tobacco reduction groups, tenant and legal rights organizations and others to promote smoke-free apartment policies. Starting this summer and fall, SFELP, in coordination with local groups throughout Michigan, will utilize radio ads, billboards, and mailings to landlords informing them of the web site and the opportunity to go smoke-free.

The two radio ads – titled "assertiveness" and "smoking helpline" – use humor to inform tenants of their rights to live in smoke-free apartments and how to work with their landlord to achieve this. The ads will be rolled out this fall in a number of locations in Michigan.

To access the web site, go to <http://www.mismokefreeapartment.org>. We encourage other organizations to publicize this site and to add a link to the [mismokefreeapartment.org](http://www.mismokefreeapartment.org) site from their web sites so that landlords and tenants throughout Michigan and the United States can take advantage of this new resource.
