

MI Smoke-free Apartment

Smoke-Free Multi-Unit Housing Has Come of Age

PMAWM Grand Rapids & Kalamazoo April 15-16

MI Smoke-free Apartment

Smoke-free apartments in 2004?

- Virtually no smoke-free apartments or condos could be found in Michigan in market-rate or affordable housing
- Most multi-unit property owners thought it was illegal to have a smoke-free policy
- Many newspapers thought it was illegal to allow ads saying "no smoking" or "SF"
- Most tenants didn't realize they had some rights to smoke-free housing

MI Smoke-free Apartment

Smoke-free apartments in 2008?

- Tens of thousands of units of SF market-rate apartments and condos in Michigan
- Well over 10,000 units of SF "affordable" multi-unit housing in Michigan
- 25 public housing commissions in MI have adopted SF policies (all since 2005)
- Most newspapers allow "no smoking" ads
- Some online apt listing services now have "no smoking" as an amenity item



Medallion Management, Inc.

We Are a Family of Companies Serving the Needs of Families

Medallion Management

834 King Highway, Suite 100
Kalamazoo, MI 49001
Phone: (269) 381-0350
Fax: (269) 381-3609

Smoke-Free Properties:

Galesburg Village Apartments
Grandview Apartments
Augusta Green Apartments



Smoke-Free Properties:

Pheasant Run Apartments
West Bridge Apartments
Bayberry Farms
The Cottages at Bayberry Farms
University Meadows
Riverwalk Meadows
Summerview
Trumbull Crossing

KMG Prestige

Main Office
102 South Main Street
Mount Pleasant, Michigan 48858
989 772-3261



First Centrum

21400 Ridgetop Circle, Suite 250
Sterling, VA, 20166
Phone: (703) 406-3471
Contact: Rob Couch, President

All buildings smoke-free.
Over 50 smoke-free
buildings in 7 states; about
20 in Michigan.



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Your home for today ...
... and for tomorrow.

Heritage Senior Communities

Heritage Property Management
950 Taylor Avenue
Grand Haven, MI 49417
Phone: 616-846-4700
Fax: 616-842-8939
Email:
info@heritageseniorcommunities.com

Smoke-Free Properties:
Village at Appledorn, Holland
Village at Park Terrace,
Muskegon



Smoke-free community:

Country View Apartments & Town Homes

1928 East Britain Avenue
Benton Harbor, MI 49022

Telephone: (269) 926-8068



Continental Management LLC

Continental Management LLC

20505 W 12 Mile Rd
Southfield, MI 48076
Telephone: (248) 208-0573

Smoke-free Properties:
Westchester Towers, Wayne



CRANBROOK CENTRE

Cranbrook Centre Apartments
18333 South Drive
Southfield, Michigan 48076
Telephone: 248 642-2500

Lexington Village
1310 Pallister Street
Detroit, Michigan 48202
Telephone: (313) 872-1260



Forest City Enterprises
1100 Terminal Tower
50 Public Square
Cleveland, OH 44113-2203
Phone: 216-621-6060

Smoke-free MI properties:
Frenchtown Place, Monroe



WARREN PLAZA

Preservation Management

707 Sable Oaks Drive
S. Portland, ME 04106

Office: (207) 774-0501
Office: (888) 553-2020

Smoke-free MI properties:
Warren Plaza, Detroit





Wilson White Management

Wilson White Management
2008 South State St
Ann Arbor, MI 48104
Phone: 734 995-9200

Many smoke-free properties.



Harwood Properties, Inc.

453 W. Three Mile Road
Sault Ste. Marie, MI 49783

Phone: (906) 632-9047

Smoke-Free Properties:
Woodfield Terrace Apts.
Bingham Ave. Apts



Flo-Mar Apartments

Flo-Mar Apartments

121 Perrin - Office
Ypsilanti, MI 48197
Phone: (734) 483-2240

All 30+ properties smoke-free.



*More Than A Place to Live...
A Community.*

Jewish Apartments & Services

15000 W. Ten Mile Road
Oak Park, MI. 48237
Phone: 248.592.1102

**All properties smoke-free;
over 800 units.**



Smoke-Free Properties:
Luther Community Manor
Alison House



Lutheran Social Services of Michigan

8131 E. Jefferson Ave.
Detroit, MI 48214
Telephone: 313 823-7700
Email: info@lssm.org



Smoke-Free Properties:
Cherry Creek Village,
Marquette
Other buildings in Upper
Peninsula and Wisconsin

Lutheran Social Services of Wisconsin and Upper Michigan, Inc.

647 West Virginia Street
Milwaukee, Wisconsin 53204
Telephone: 414-281-4400
E-Mail: info@lsswis.org

CHERRY CREEK VILLAGE



*Affordable Housing for
Older Adults*



Surovell Realtors

1884 West Stadium Blvd.
Ann Arbor, Michigan 48103
Phone: 734.665.9800

Many smoke-free properties.



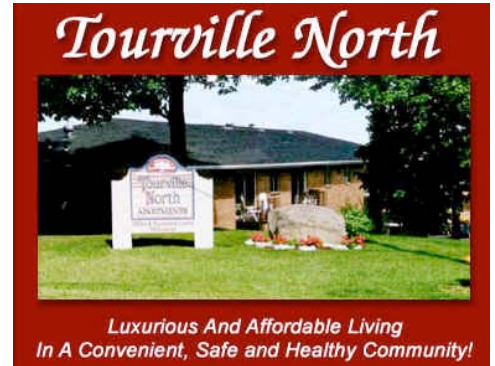
"Address Of Distinction"

Tourville Apartments

910 Lincoln Avenue
Marquette, MI 49855

Phone: (906) 288-9284

All properties are smoke-free.



Gruber Management

625 S. Forest #1 • Ann Arbor • Michigan • 48104 • (734) 668-1111 • (734) 668-7978

Gruber Management

625 S. Forest #1
Ann Arbor, MI 48104
Phone: (734)668-1111

All properties are smoke-free.



Treecity Properties, LLC

Treecity Properties

1024 Lincoln Ave.
Ann Arbor, Michigan 48104
Phone: (734)994-8733

All properties smoke-free inside and outside.



Village Green Companies

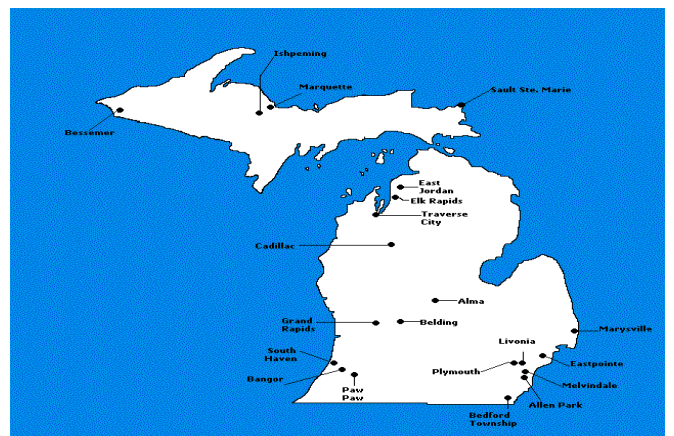
Corporate Offices
30833 Northwestern Hwy.,
Farmington Hills, MI 48334

Telephone: (248) 851-9600

Smoke-free MI properties:
Village Green/Kiwanian, Lincoln Park



Smoke-Free Housing Commissions





MI Smoke-Free Apartment

MI SmokeFreeApartment Initiative uses a voluntary approach

MI SmokeFreeApartment Initiative begun in Michigan in July, 2004 because:

- Other remedies, including legal, weren't getting the results we hoped for.
- We thought multi-unit property owners would adopt smoke-free policies if they were sure it was legal.
- We didn't think a legislative approach would succeed at this time.



MI Smoke-Free Apartment

The MI SmokeFreeApartment initiative includes:

- MI SmokeFreeApartment web site info & materials
- Assistance from SFELP & local partners
- Press releases and media initiatives
- Postcard mailings to multi-unit property owners
- Surveys of smoke-free apartment availability
- Listing of smoke-free apartments on web site
- Radio ads
- Billboards




MI Smoke-Free Apartment

Where there's smoke, there can also be a smoke-free apartment. How you can make it happen.




Landlords Tenants



MI Smoke-Free Apartment

Reasons for Adopting Smoke-Free Policies

5 Major Reasons:

- 1) It's legal to do.
- 2) Economics: a) the market supports smoke-free; b) costs more to rehabilitate smokers' units; c) fire safety.
- 3) Transitioning buildings to smoke-free status isn't that difficult.
- 4) Enforcement of smoke-free policies isn't difficult.
- 5) The housing industry is lagging behind the market and the desires of residents for smoke-free housing.



MI Smoke-Free Apartment

Smoke-Free Policies are Legal


- Legal research demonstrated smoke-free policies were legal.
- Michigan Attorney General Opinion of 1992 states that **neither federal nor Michigan law prohibits a landlord from making his/her apartment building totally smoke-free.**



MI Smoke-Free Apartment

Smoke-Free Policies are Legal

- HUD Legal Counsel letter of July, 2003 states that public & subsidized housing operators are **free under federal & MI laws to make their buildings totally smoke-free**, so long as they grandfather current residents who are smokers.
- Grandfathering means for a reasonable period, such as until lease renewal.



Smoke-Free Policies are Legal

- As the HUD Legal Counsel letter stated:
 “The right to smoke or not to smoke is **not a right that is protected under the Civil Rights Act of 1964** because smokers are not a protected class under federal law.”



Economics: The Market

26.2% of Michigan housing units are renter-occupied -- almost 1 million units
That’s over 2.2 million people, 22% of Michigan’s total population

-- U.S. Census, 2000



Economics: The Market

In 2002, 58% of Michigan households were smoke-free
-- U.S. Surgeon General’s Report on Secondhand Smoke, 2006

In 2005, 73.1% of Michigan adults said smoking was not allowed in their home
-- 2005 Michigan Adult Tobacco Survey

In 2005, 81.8% of Michigan adults said no one had smoked in their home in last 7 days
-- 2005 Michigan Adult Tobacco Survey




Economics: The Market

Smoke-free homes are the norm in Michigan, not the exception.

But, currently, most apartment & condo buildings are not smoke-free.

Residents want housing that meets their desire to have a smoke-free home.



Economics: Market is there

The market for smoke-free housing is huge

- About 80% of MI adults don’t smoke
- Over 90% of persons 65+ don’t smoke
- Many smokers don’t want smoke in home
- Most apartment buildings allow smoking -- **the marketplace is way behind demand**



Economics: Market is there

The market for smoke-free housing is huge, regardless of income level

- Almost 70% of people in MI households with incomes under \$20,000 don’t smoke
- About 75% of people in MI households with incomes between \$20,000 & \$75,000 don’t smoke
- Over 87% of people in MI households with incomes over \$75,000 don’t smoke

-- 2005 Michigan BRFSS Estimates



Economics: Market is there

The market for smoke-free housing is huge, regardless of race/ethnicity

Michigan African Americans -- 76% don't smoke

Michigan Hispanics -- 72% don't smoke

Michigan whites -- 79% don't smoke


-- 2005 Michigan BRFSS Estimates



Costs of allowing smoking

Smoking damages residential property:

- Causes cigarette burn damage and stench to carpets, counters, etc
- Leaves smoke residue on walls and curtains
- Poses fire hazard



Costs of allowing smoking

Smoking residue increases cost of rehabilitating apartment when smoker moves out.

Owners estimate it costs \$500 to \$8,000 more to rehab an apartment in which a smoker lived than a non-smoker.




Cigarette-caused Fires

Nationally:

- Smoking was the cause of just 9% of apartment fires, but
- Smoking was the cause of 40% of deaths from apartment fires, and
- Smoking was the cause of 16% of injuries from apartment fires

NFIRS, 2002



Costs of allowing smoking


- Fire damage can cause apartment units to go off-line for months
- Water and smoke damage to adjoining units can take them off-line, as well
- Former residents have to find alternative housing and probably won't return



Secondhand smoke problem

- It is a **Toxic Air Contaminant**, putting secondhand smoke in the same category as the most toxic automotive and industrial air pollutants.

California Air Resources Board Report, issued January 26, 2006 by the California Environmental Protection Agency.




MI Smoke-Free Apartment

Secondhand smoke problem

- There is no risk-free level of exposure to secondhand smoke. Breathing even a little secondhand smoke can be harmful.
- The only way to fully protect yourself and your loved ones from the dangers of secondhand smoke is through 100% smoke-free environments.

Surgeon General's Report on Secondhand Smoke, issued June 27, 2006



MI Smoke-Free Apartment

Secondhand smoke problem


Secondhand smoke cannot be controlled by ventilation or air cleaning: On June 30, 2005, the American Society of Heating, Refrigerating & Air-Conditioning Engineers (ASHRAE) issued their latest position document on secondhand smoke. It states: "At present, the only means of effectively eliminating health risk associated with indoor exposure is to ban smoking activity." www.ashrae.org



MI Smoke-Free Apartment

Legal Liability

- Residents negatively impacted by secondhand smoke actually have the right to **seek legal action against owners** who do not make adequate provisions to protect them from second hand smoke.



MI Smoke-Free Apartment

Transitioning to Smoke-Free


- To implement a smoke-free policy in a multi-unit dwelling where smoking residents already reside:
 - Establish a date on which all new residents must not smoke inside
 - Decide how much time current resident smokers will have before their lease will include the smoke-free requirement, i.e., grandfathering



MI Smoke-Free Apartment

Transitioning to Smoke-Free: Adopt New Lease Language

- To implement a smoke-free policy in a multi-unit dwelling:
 - Add no smoking provisions to the leases for apartment complexes or to the "house rules" in public Housing Authority buildings



MI Smoke-Free Apartment

Enforcement of Smoke-Free Policies

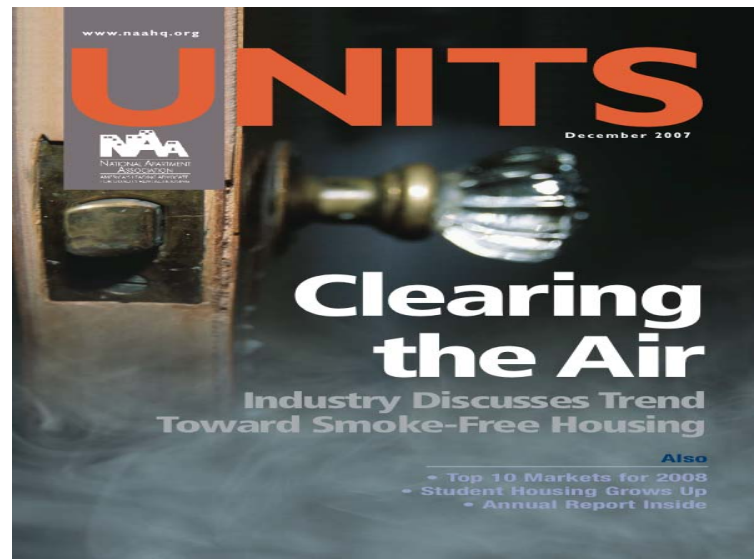
- Private and public multi-unit owners uniformly report that enforcement is not an issue
- Residents consistently follow the rule
- Violators of the smoke-free rule are most likely to be violators of other rules
- Eviction possible; rarely, if ever, occurs



MI Smoke-Free Apartment

Addressing marketplace inertia

- Multi-unit housing publications are now focusing on the benefits of smoke-free policies, e.g.,
 UNITS magazine, Dec., 2007
 MultiFamily Executive, Nov., 2006
 Assisted Housing Management Insider, March, 2007




MI Smoke-Free Apartment

Addressing marketplace inertia

- Apartment and property management associations are having sessions at meetings & conferences on SF policies
- Multi-unit housing organizations are doing policy analyses and articles for members on SF policies, e.g., PMAWM, PMAMM, NMHC, NAA, etc.



MI Smoke-Free Apartment

Addressing marketplace inertia

- Public housing associations, e.g., NAHRO, are having sessions at conferences & meetings on SF policies and are promoting SF policies with colleagues as a marketing amenity and money saver



MI Smoke-Free Apartment

Addressing marketplace inertia

- Print and electronic media focusing increasing attention on SF policies in multi-unit housing -- virtually all positive stories:
 New York Times, Los Angeles Times, USA Today, CNN, Christian Science Monitor, Toronto Star, Detroit News, & many other local newspaper, TV and radio stories.



MI Smoke-Free Apartment

Addressing marketplace inertia

- Online apartment listing companies are adding "smoke-free" as an amenity item on their listings, e.g., RentLinx
- "Smoke-free" is becoming more common as an amenity item in marketing by apartment owners/managers

