



Sample Smoke-Free Housing Language for Landlords

Sample Smoke-Free Housing Policy	Page 2
Sample Lease Provision Language	Page 3
Sample Lease Addendum	Page 4
Sample Smoking Policy Landlord Disclosure Form	Page 5

SAMPLE SMOKE-FREE HOUSING POLICY

Include in the "Definitions" section:

SMOKING: The term "smoking" shall include the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar or other tobacco product, marijuana, or illegal substance, in any manner or in any form.

Include in the "Restrictions" section:

SMOKING: Due to the increased risk of fire and the known adverse health effects of secondhand smoke, smoking is prohibited in any area of the property, both private and common*, whether enclosed or outdoors. This policy applies to all owners, tenants, guests, employees, and service persons.

DISCLOSURE:

The smoke-free housing policy for: (address) _____ has been reviewed with tenant, in compliance with Maine Public Law 2011, Chapter 199.

Landlord/Landlord Representative Printed Name: _____

Signature: _____

Date: _____

TENANT ACKNOWLEDGEMENT:

I have read, understand and agree to comply with the above smoking policy.

Tenant Printed Name: _____

Tenant Signature: _____

Date: _____

*Maine law prohibits smoking, including electronic smoking devices, in indoor common areas, such as hallways, laundry rooms and recreation rooms.

SAMPLE LEASE PROVISION

The following language can be used to implement a smoke-free policy in a multi-unit dwelling. In apartment complexes, the provisions can be added to the lease or month-to-month agreement. For condominiums, the language can be added to the Conditions, Covenants, and Restrictions (CC&Rs) and implemented immediately or at a specified future date.

Included in the "Definitions" section of the lease or CC&Rs:

Smoking: "Smoking" shall include the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar or other tobacco product, marijuana, or illegal substance.

Included in the restrictions section of the lease or CC&Rs:

Smoking: Due to the increased risk of fire, and the known health effects of secondhand smoke, smoking is prohibited in any area of the property, both private and common*, whether enclosed or outdoors. This policy applies to all owners, tenants, guests, and servicepersons.

DISCLOSURE:

The smoke-free housing policy for: (address) _____ has been reviewed with tenant, in compliance with Maine Public Law 2011, Chapter 199.

Landlord/Landlord Representative Printed Name: _____

Signature: _____

Date: _____

TENANT ACKNOWLEDGEMENT:

I have read, understand and agree to comply with the above smoking policy.

Tenant Printed Name: _____

Tenant Signature: _____

Date: _____

*Maine law prohibits smoking, including electronic smoking devices, in indoor common areas, such as hallways, laundry rooms and recreation rooms.

SAMPLE LEASE ADDENDUM

SMOKE FREE POLICY:

Due to the increased risk of fire, and the known health effects of secondhand tobacco smoke, smoking is prohibited in any indoor area of the property, both private and common*. The policy applies to all owners, tenants, guests, and servicepersons. All smoking materials must be disposed up appropriately, whether in the trash or can provided.

Smoking: The term "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette or other tobacco product in any manner or in any form.

Tenant acknowledgment:

I hereby acknowledge the above smoking policy as part of the lease or month-to-month agreement. I agree that I will not smoke in the areas of the property listed below. In addition, I will be responsible for enforcing this policy with all of my visitors, guests, and relatives who visit the premises. If I fail to abide by this policy, I agree to move within 30 days.

Smoke-free areas:

NAME (please print)

SIGNATURE

ADDRESS

CITY, STATE, ZIP CODE

PHONE NUMBER

Additional Names:

NAME (please print)

SIGNATURE

NAME (please print)

SIGNATURE

Landlord/Owner's Representative Printed Name: _____

Signature: _____ Date: _____

*Maine law prohibits smoking, including electronic smoking devices, in indoor common areas, such as hallways, laundry rooms and recreation rooms.

SAMPLE SMOKING POLICY DISCLOSURE FORM

The Maine Smoking Policy Awareness Law (Public Law 2011, chapter 199) requires that landlords disclose the "...policy regarding smoking on the premises..."

"Smoking" is defined as carrying or having in one's possession a lighted cigarette, cigar, pipe or other object giving off tobacco smoke.

This form provides written disclosure of the smoking policy at (address):

The smoking policy for this property is:

Smoking is not allowed on the entire premises

Smoking is not allowed in:

Inside all units

Inside all common areas, such as hallways or laundry rooms*

Outside within ___ feet of the building

Outside on porches, patios, and yards adjacent to the units

Other: _____

Smoking is allowed in designated outdoor smoking area, located: _____

Smoking is permitted on the entire premises, excluding indoor common areas*

Acknowledgements:

I have read and understanding the smoking policy described above and agree to comply with the smoking policy at (address): _____

Tenant Printed Name: _____

Tenant Signature: _____ Date: _____

Landlord/Owner's Representative Printed Name: _____

Signature: _____ Date: _____

*Maine law prohibits smoking, including electronic smoking devices, in indoor common areas, such as hallways, laundry rooms and recreation rooms.