

# Sample Smoke-Free Policy Language

*The following language can be used to implement a smoke-free policy in a multi-unit dwelling. In apartment complexes/buildings, the provisions can be added to the lease, tenant policies or month-to-month agreement.*

**Include in the “Definitions” section:**

SMOKING: “Smoking” shall include the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar or other tobacco product, marijuana, or illegal substance.\*\*

**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 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: \_\_\_\_\_

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Maine Center for Disease Control & Prevention  
Department of Health and Human Services

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

\*\* If your policy goes beyond smoking definition from state law and includes marijuana and other illegal substances, you should also disclose this to your tenants.

Tobacco treatment information is available for those interested in quitting, including about the Maine QuitLink (1-800-QUIT-NOW or MaineQuitLink.com).

# Sample Smoke-Free Lease Provision Language

*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 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 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: \_\_\_\_\_

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# Sample Smoke-Free 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\*, whether enclosed or outdoors. The policy applies to all owners, tenants, guests, employees, and servicepersons. All smoking materials must be disposed of appropriately, whether in the trash or can provided.

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

## 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:

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\_\_\_\_\_  
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: \_\_\_\_\_

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# Sample Smoke-Free 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" shall include the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar or other tobacco product, marijuana, or illegal substance.\*\*

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:
  - 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\*

**Acknowledgement:**

I have read, understand, and agree to comply with the above smoking policy at (address):

\_\_\_\_\_

Tenant Printed Name: \_\_\_\_\_

Tenant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Landlord/Owner's Representative Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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