

RESOLUTION 18-15

To Adopt Final Regulations Smoke Free Public Housing

Summary

The purpose of this memorandum is to introduce proposed regulations governing the District of Columbia Housing Authority's ("DCHA") Smoke Free Public Housing policy to the Board of Commissioners for approval for adoption. These regulations establish a prohibition on smoking tobacco and similar lighted substances on public housing property, unless an area is designated on the property in accordance with federal regulations. In preparation for the smoke-free policy's July 30th effective date, DCHA launched a multi-faceted information campaign. Details about that campaign are included below.

Smoke-Free Policy Information Campaign

- **Purpose:** Ensure all staff and residents are aware of the policy and are able to comply upon its July 30th effective date. This involves education about the policy's requirements, benefits (including health, maintenance prevention, and tie-in to courteous, clean, complete), and stop-smoking resources.
- **Target Audience:** DCHA staff and PHA residents.
- **Key Partners:** American Lung Association, DC Tobacco Free Coalition, DC Smoke-Free Stakeholder Group, and National Cancer Institute.
- **Modes of Communication:**
 - Official notice:
 - Letter about lease addendum and new lease requirements emailed and texted May 16th and mailed May 17th.
 - Draft regulations posted on the DC Register and DCHA website on May 18th.
 - Ensure 100% of residents sign an updated lease or lease addendum.
 - Full Board approval of the policy is expected July 11th.
 - Print campaign:
 - Posters on properties, door hangers, palm cards, and flyers.
 - Signs will be posted onsite as the effective date approaches.
 - Workshops:
 - Community navigators, interested Resident Council leaders, and relevant public affairs staff attended a train-the-trainer American Lung Association Freedom From Smoking Facilitator Training to learn how to lead smoke-free sessions.
 - Workshops will be held on each property during July to address residents' questions and concerns.
 - Meetings:
 - Director Garrett's town hall meetings.
 - PMO meetings.
 - Employee training sessions.
 - Electronic Communications: emails and texts sent weekly to each property.

RESOLUTION 18-15

TO ADOPT FINAL REGULATIONS FOR SMOKE FREE PUBLIC HOUSING

WHEREAS, District of Columbia Housing Authority (“DCHA”) is required to prohibit smoking on public housing properties;

WHEREAS, DCHA seeks to comply with the Department of Housing and Urban Development’s mandate to prohibit smoking and to improve the health and safety of public housing residents;

WHEREAS, on May 18, 2018, DCHA published Proposed Smoke Free Public Housing regulations in the District of Columbia Register to solicit public comment; and

WHEREAS, DCHA amended the proposed regulation to allow smoking 25 feet outside of public housing.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of District of Columbia Housing Authority hereby authorizes the Executive Director to adopt the proposed Smoke Free Public Housing regulations.

ADOPTED, by the Board of Commissioners and signed in open session in authentication of this passage on this 11th day of July 2018.

ATTEST:

APPROVED:

Tyrone Garrett
Executive Director/Secretary

Neil Albert
Chairman

APPROVED TO FORM AND LEGAL SUFFICIENCY:

Kenneth S. Slaughter
General Counsel

14 DCMR § 6127 PUBLIC HOUSING: SMOKE-FREE POLICY

§ 6127.01 Purpose. In accordance with the Department of Housing and Urban Development's mandate contained in 24 C.F.R. § 965.651 *et seq.*, the purpose of this section is to minimize the risk of fire, reduce maintenance costs, and eliminate the adverse health effects associated with second and thirdhand smoke.

§ 6127.02 Applicability.

- (a) This section applies to public housing assisted units as defined in D.C. Code § 6-201(41), except for dwelling units in redeveloped properties as defined in § 6113.1.
- (b) This section applies to all residents, guests, visitors, service personnel and employees.

§ 6127.03 Definitions.

- (a) The term "smoking" means inhaling, exhaling, breathing, carrying, or possessing any lighted cigar, cigarette, pipe, or other tobacco product or similar lighted product in any manner or in any form.
- (b) For purposes of this section "public housing" means low-income housing, and all necessary appurtenances (*e.g.*, community facilities, public housing offices, day care centers, and laundry rooms) thereto, assisted under U.S. Housing Act of 1937 (the 1937 Act), other than assistance under section 8 of the 1937 Act.

§ 6127.04 Smoke-Free Public Housing. Smoking is prohibited within:

- (a) All interior common areas, including but not limited to community rooms, community bathrooms, lobbies, hallways, laundry rooms, stairways, offices, and elevators;
- (b) All living units; and
- (c) 25 feet of Public Housing and administrative office buildings in which public housing is located.

§ 6127.05 Designated Smoking Areas. The DCHA may designate Smoking Areas on public housing grounds provided that the Smoking Area is not within 25 feet of public housing or administrative office buildings in which public housing is located.

§ 6127.06 The DCHA is not a guarantor of a smoke-free environment. The DCHA is not required to take steps in response to smoking unless it has actual knowledge of the smoking and the identity of the responsible resident.

§ 6127.07 Lease Violation. Residents are responsible for the actions of their household, their guests, and visitors. Repeated failures to adhere to conditions in section 6127.04 will constitute both a material non-compliance with the lease agreement and a serious violation of the Lease Agreement. In addition, resident will be responsible for all costs to remove smoke odor or residue upon any violation of this section.