



*Providing Homes, Creating Community, Changing Lives*

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### *Boulder Housing Partners Nonsmoking Policy affective September 30, 2011*

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Boulder Housing Partners has chosen to go smoke-free in order to provide a healthier environment for its residents. The harmful effects of secondhand smoke and the fire danger caused by indoor smoking are simply too great to ignore. As of September 30, 2011, smoking is prohibited in all (indoor) common areas (such as entrances, hallways, exercise areas, enclosed stairways and laundry rooms).

Smoking will be allowed within individual units until September 30, 2011 after which smoking will only be permitted 25 feet from any exterior building wall.

In Colorado, more than 800 multiunit residential communities with 24,000 units have 100% no-smoking policies indoors. The list is growing and updated at [www.mysmokefreehousing.com](http://www.mysmokefreehousing.com).

Thirteen housing authorities have implemented or are phasing in no-smoking policies in 480 buildings with 3,120 units.

“The feedback from prospective and current residents has been overwhelmingly positive, and they really appreciate that tobacco smoke will not enter their residences when someone smokes inside their units or on the property. Even people who smoke are renting apartments here because they see it as an incentive to quit smoking.” Alicia Persich, Marketing Coordinator, AMLI at Inverness.

Colorado’s Clean Indoor Air Act allows landlords to make any part of their property nonsmoking and prohibits smoking in all indoor common areas (CRS 25- 14-206).

CRS 25-14-206. Optional prohibitions. (1) The owner or manager of any place not specifically listed in section 25-14-204, including a place otherwise exempted under section 25-14- 205, may post signs prohibiting smoking or providing smoking and nonsmoking areas. Such posting shall have the effect of including such place, or the designated nonsmoking portion thereof, in the places where smoking is prohibited or restricted pursuant to this part 2.

There is no legal or constitutional right to smoke and no court has ever recognized smoking as a protected right.

No-smoking policies are not discriminatory or a violation of any fair-housing regulations. Smokers are not a protected class.

In subsidized housing landlords and managers have the legal right to designate a 100% smoke-free building (Colorado HUD Letter, Oct. 9, 2007). HUD also encourages Public Housing Authorities to implement no-smoking policies in some or all of their communities (PIH Notice 2009-21).