

**Portland Housing Authority
14 Baxter Boulevard
Portland, ME 04101-1822
Tel. (207)773-4753
Fax. (207)879-4231**

Smoke-Free Housing Lease Addendum

January 2017

Effective July 1, 2011, all tenants, residents and guests will be prohibited from smoking anywhere in Portland Housing Authority (PHA) owned and managed buildings, including apartments, common areas and within 25 feet of all building and 50 feet from entrances. The Board of Commissioners has adopted this policy to provide a healthier environment for our residents.

The purpose of this policy is to provides a healthier environment for our residents and eliminate the harmful effects of secondhand smoke, fire danger, and damage to apartments due to smoke. Secondhand smoke is particularly dangerous to children and people with respiratory disease. It is the third leading cause of preventable death in the United States. In 2006, the US Surgeon General stated that there is no safe level of secondhand smoke.

Definition of Smoke/Smoking

The term “smoke and “smoking” means inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, or other tobacco product, water pipes, hookahs or any Schedule I drug in accordance with the Controlled Substance Act.

Smoke-Free Apartments

The premises listed below have been designated as smoke-free living environments and comprise all of PHA’s Public Housing property:

- Sagamore Village
- Riverton Park
- Kennedy Park, Bayside East and Bayside Terrace
- Franklin Towers
- Harbor Terrace
- Washington Gardens
- Front Street Apartments
- Dermot Court, 155 Anderson St, 81-87 Salem St, 43 Hammond St and 37 Illsley St.

Further, any new properties acquired and/or managed by PHA after July 1, 2011 shall be deemed smoke free as well.

Smoking is prohibited on these properties owned and managed by PHA, including the apartment rented by the resident, the building in which the dwelling unit is located, and all common areas inside and outside the building, up to 25 feet from each building and 50 feet from the buildings entry.

Portland Housing Authority Not a Guarantor of Smoke-Free Environment

The adoption of a smoke free living environment, and the efforts to designate a property as smoke-free, does not make PHA a guarantor of resident’s health or of the smoke-free condition of the resident’s apartment and common areas. However, PHA shall take reasonable steps to enforce the smoke-free terms

of its leases and to make the property smoke-free. PHA will post all property with “No Smoking” signs inside and outside the buildings and may at it’s sole option consider designating smoking areas at any or all of the properties.

Smoking on the Property as a Lease Violation

If a resident smells tobacco smoke anywhere in the building, they should report this to the office as soon as possible. Management will seek the source of the smoke and take appropriate action. A resident will be in violation of his/her lease if the resident or any guest is determined to be smoking on PHA property. Three (3) violations of PHA’s Smoke Free Policy may result in eviction. All applicants/residents will acknowledge receipt of this policy in writing at the time of application, or next rent recertification.

Resident Certification

I have read and understand Portland Housing Authority’s Smoke Free Housing Policy, and have been furnished with a copy. I agree to comply with all provisions of this policy and understand failure to comply may constitute reason for termination of my lease.

Head of Household Signature:_____

Spouse/Co-Head Signature:_____

Property Address:_____

Management Certification

On _____ I presented _____ with Portland Housing Authority’s Smoke-Free Housing Policy and Lease Addendum.

☐ By signing this Lease Addendum, they have acknowledged receipt of this policy and have agreed to abide by all terms.

☐ Resident(s) has/have refused to sign this Lease Addendum, but have been provided a copy and will be bound by the terms of the Policy as a Portland Housing Authority resident.

Portland Housing Authority Representative:_____