



SMOKE-FREE MARIN COALITION

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Suggested Questionnaire for Tenants Seeking Smoke-Free Apartments

Step 1: Ordinance Existence

Some Marin cities have minimum requirements regarding the percentage of units which must be smoke-free in multi-unit housing complexes. Check if there is a smoke-free ordinance in the city where the building is located. A searchable database of secondhand smoke ordinances can be found at <http://smokefreemarin.com/areas.html>. You can also ask the landlord/property manager if there is a law in place, but it is recommended that you check for yourself first.

Step 2: Smoke-Free Policy Questions

If the building is in a city **with a smoke-free ordinance**, below are some suggested questions to ask your landlord:

- A. Which units in the building are smoking and which are smoke-free?
 - Under the ordinance, it's likely the landlord had to create a map that demarks smoking and non-smoking units.
 - You can ask the landlord for a copy of the most updated diagram.
- B. What enforcement process is management using to deal with violators? Many landlords enforce no-smoking rules in the same way that they enforce no pets or no-loud noise rules.
 - What process is in place for documenting smoking violations?
 - Will tenants who violate a smoke-free addendum receive letters regarding the complaints and requesting a change in behavior?
 - How many complaints are required before the landlord will threaten eviction?
 - Does the landlord plan to act on the eviction threat if necessary?
- C. Is there a designated smoking area, and if so, where is it located?
 - Some landlords have identified a spot away from doors and windows where smokers are allowed to smoke. You can then see where this spot is located in relation to the unit(s) you are considering.
 - Parking lots may be considered designated smoking areas since people are there in passing and they are often farther away from doors and windows.

If the building is located in a city **without a smoke-free ordinance**, below are some suggested questions to ask your landlord:

- A. Do leases contain a smoke-free lease addendum prohibiting smoking inside units and on balconies?
 - It is suggested that you read a copy of the lease addendum in advance of signing a lease.
- B. Have all current tenants signed the smoke-free lease addendum or only some tenants?
 - If the complex is not entirely smoke-free, ask for a list or map identifying units where smoking is allowed and where it is not.
- C. Are indoor and outdoor common areas smoke-free?
 - It's likely that indoor common areas are smoke-free due to workplace health laws such as laundry rooms and mail rooms.
 - Find out if all or some outdoor areas are considered smoke-free. This would include courtyards, gardens, pools and other outdoor places.
- D. What enforcement process is management using to deal with violators? Many landlords enforce no-smoking rules in the same way that they enforce no pets or no-loud noise rules.
 - What process is in place for documenting smoking violations?
 - Will tenants who violate a smoke-free addendum receive letters regarding the complaints and requesting a change in behavior?
 - How many complaints are required before the landlord will threaten eviction?
 - Does the landlord plan to act on the eviction threat if necessary?