

Smoke-Free Public Housing Policy

Mississippi Regional Housing Authority IV

In accordance with HUD regulations, the Mississippi Regional Housing Authority IV has adopted these smoke-free policies. The policies are effective July 30, 2018.

Purpose of No-Smoking Policy. This policy is intended to improve indoor air quality, benefit the health of public housing residents and Housing Authority staff, reduce the risk of fires, and lower overall maintenance costs in the following complexes:

Yorkville Apartments, 677 Yorkville Rd. E., Columbus, MS 39702
Applewood Apartments, 169 Applewood Dr., Columbus, MS 39702
Stringer Manor Apartments, 156 Applewood Dr., Columbus, MS 39702
Robinson Courts Apartments, 182 Lodge Street, Crawford, MS 39743
Conner Heights Apartments, 1429 Louisville Street, Starkville, MS 39759
Maben Scattered Sites, Maben, MS 39750
Millwood Apartments, Keller Circle, Ackerman, MS 39735
Westwood Apartments, Westwood Drive, Eupora, MS 39744
Oakwood Hills Apartments, Lula Road, Grenada, MS 38901
Red Hills Apartments, 100 Red Hills Drive, Louisville, MS 39339

This policy applies to all employees, residents, household members, guests, and service persons. Residents are responsible for ensuring that household members and guests comply with this rule.

Definition of Smoking. The term “smoking” means any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other prohibited tobacco product, as well as marijuana or similar lighted product in any manner or any form. Prohibited tobacco products include water pipes or hookahs.

Violation of the smoke-free policy constitutes a violation of the terms of the public housing lease. Consequences of lease violations include termination of tenancy.

PHA POLICIES

Smoking is prohibited on the grounds and in all living units and interior areas, including but not limited to hallways, rental and administrative offices, community centers, day care centers, and similar structures.

Designated Smoking Areas. The Mississippi Regional Housing Authority IV has not designated any smoking areas on its property. Smoking is prohibited on all Housing Authority property. Resident, family members and guests may not discard cigarette butts or other lighted material on the grounds or the property.

Electronic Nicotine Delivery Systems. The use of electronic nicotine delivery systems (ENDS), which include e-cigarettes, nicotine inhalers, and vaping devices are only permitted in a resident’s dwelling unit.

Enforcement. The PHA must enforce smoke-free policies when a resident violates this policy. When enforcing the lease, the PHA will provide due process and allow residents to exercise their right to an informal settlement and formal hearing. The PHA will not evict a resident for a single

incident of smoking in violation of this policy. As such, the PHA will implement a graduated enforcement framework that includes escalating warnings.

1st violation – Written and/or verbal warning, documented in resident file

2nd violation – Written warning and referral to Director of Special Programs to provide smoking cessation information

3rd violation – Written warning, \$25.00 fine, mandatory meeting with Housing Manager

4th violation – Lease termination for failure to abide by the lease agreement/addendum

Prior to pursuing eviction for violation of smoke-free policies, the PHA will take specific, progressive monitoring and enforcement actions, while at the same time educating tenants and providing smoking cessation information.

The lease will identify the actions that constitute a policy violation, quantify the number of documented, verified violations that warrant enforcement action, state any disciplinary actions that will be taken for persistent non-responsiveness or repeated noncompliance, and state how many instances on noncompliance will constitute a violation.

Tenancy termination and eviction will be pursued only as a last resort. The PHA may terminate tenancy at any time for violations of the lease and failure to otherwise fulfill household obligations if resident behavior disturbs other residents' peaceful enjoyment and is not conducive to maintaining the property in a decent, safe, and sanitary condition.

Reasonable Accommodation. While addiction to nicotine or smoking is not a disability, the PHA will provide reasonable accommodation to persons with disabilities who smoke that are in compliance with the requirements of this smoke-free policy.

MRHA IV Not a Guarantor of Smoke-Free Environment. The MRHA IV's adoption of a smoke-free living environment and the efforts to designate the rental complex as smoke-free, do not make the MRHA IV or any of its managing agents, the guarantor of Tenant's health or of the smoke-free condition of the tenant's unit and the common areas. However, the MRHA IV shall take reasonable steps to enforce the smoke-free terms of its leases and to make the complex smoke-free. MRHA IV is not required to take steps in response to smoking unless the MRHA IV knows of said smoke or has been given written notice of said smoking.

Disclaimer by MRHA IV. The MRHA IV's adoption of a smoke-free living environment and the efforts to designate the rental complex as smoke-free, do not in any way change the standard of care that the MRHA IV or managing agent would have to a tenants household to render buildings and premises designated as smoke-free any safer, more habitable, or improved in terms of air quality standards, than any other rental premises. MRHA IV specifically disclaims any implied or express warranties that the building, common areas, or Tenant's premises will have any higher or improved air quality standards than any other rental property. MRHA IV cannot and does not warranty or promise that the rental premises or common areas will be free from secondhand smoke.