




Working with Renters Who are Exposed to Secondhand Smoke

Stages of Smoke-Free Multi-Housing Program Development:
A series for public health professionals



Part Eight of Nine | February 9, 2012









Welcome!



- Please be sure to turn up the volume on your computer speakers – **No need to call in**
- If you have questions, please type them into the chat box at the bottom of your screen and we will answer them during or after the presentation
- The presentation will be recorded and archived on our web site at www.mnsmokefreehousing.org/webinar
- Print a handout of the presentation



Live Smoke Free



- Program of the Association for Nonsmokers—Minnesota
 - Working on smoke-free housing since late 1990's
 - Three full-time staff dedicated to project
 - Assisted hundreds of property managers in policy adoption, including public housing authorities; private owners; suburban, urban, and rural properties
- Recipient of MN Mentoring Supplement to provide technical assistance to Communities Putting Prevention to Work (CPPW) grantees
- Partnering with the Public Health Law Center
- Made possible by funding from the Centers for Disease Control and Prevention. Sponsored by the Minnesota Department of Health



Technical Assistance Team






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Technical Assistance Scope of Work



- Webinar series on the stages of developing a smoke-free housing program
- Development of a comprehensive “how-to” training manual for smoke-free housing advocates
- Individual consultations, including site visits, strategy development, legal issues, and materials



Stages of Smoke-Free Multi-Housing Program Development



Phase 1: Understanding the Need for Smoke-Free Multi-Unit Housing

Stages of Smoke-Free Multi-Unit Housing Program Development			
The Case for Smoke-Free MUH	Getting to Know the MUH Industry	Building Your Smoke-Free MUH Program	Understanding Legal Issues
The importance of adopting smoke-free MUH policies	Assessing the MUH stock and learning what's important to the industry	Creating goals, materials, and procedures to sustain a program	Learning the local, state, and federal laws pertaining to MUH

Phase 2: Working Toward Smoke-Free Multi-Unit Housing Policy Adoption

Stages of Smoke-Free Multi-Unit Housing Program Development				
Strategies to Reach the Housing Industry	Working with MUH to Adopt a Policy	Providing Cessation in Smoke-Free Buildings	Working with Renters Organized to Smoke	Program Sustainability
Getting your message to landlords	The policy adoption process	Helping current residents make the transition to a smoke-free environment	Empowering renters suffering from secondhand smoke drift	Partnering with other smoke-free MUH programs

Print a pdf of the [Smoke-Free Multi-Housing Program Continuum](#)




Webinar Series




Based on the Smoke-Free Multi-Unit Housing Program Continuum

- *The Case for Smoke-Free Housing*
- *Getting to Know the Multi-Housing Industry*
- *Building Your Smoke-Free Housing Program*
- *Understanding Legal Issues*
- *Strategies to Reach the Housing Industry*
- *Working with Property Owners/Managers to Adopt a Smoke-Free Policy*
- *Providing Cessation in Smoke-Free Buildings*
- **Working with Renters Exposed to Secondhand Smoke – February 9th**
- Program Sustainability – February 23rd

Learn more and register at
www.mnsmokefreehousing.org/cppw




Working with Renters




Topics Covered Today:

- Case studies from two renters
- Why renters are exposed to secondhand smoke
- Preventing the problem before it begins
- Working with renters who are exposed
- Legal options available for renters
- Reaching out to renters



Working with Renters



- Renters are the catalyst for our work, but are not the focus of our efforts
- Organizing coalitions of renters can be difficult and time consuming
- Not all renters are credible sources in the eyes of a property manager
- Working directly with a property manager is the quickest way to a policy, not through renter advocacy
- However, working with renters helps you remember why you do what you do and helps to give you stories that will drive your work with property managers

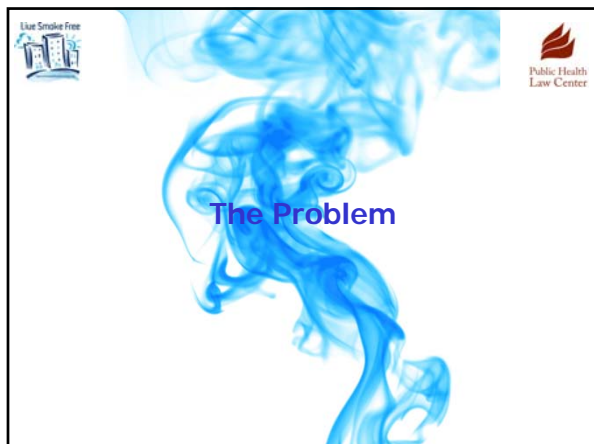


Emily

- Smelled smoke mostly in the bathroom of her unit
 - Smoke was in the bathroom towels; even her hair smelled like smoke after using her own towels
- Walls of her bathroom were discolored and there was smoke residue around the vent
- She was charged for the smoke odor in her unit when she moved out
- Didn't talk to neighbor because there was no clear source unit; didn't talk to manager because she didn't think anything could be done

Betsy

- Smelled smoke in her unit, particularly at night
- Had good relationship with manager; approached manager about going smoke free
- Live Smoke Free connected with manager
 - Manager wanted to keep a good renter and make the building healthier
- Building went smoke free within 60 days of Live Smoke Free connecting with manager



Secondhand Smoke is Dangerous

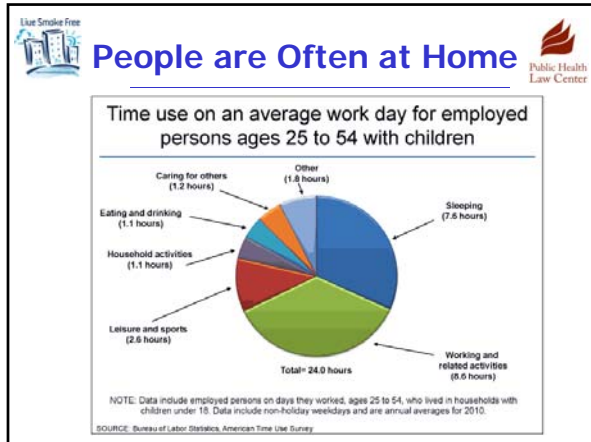
- There are many health hazards of secondhand smoke exposure
 - Ranging from irritation of eyes to affecting cancer and other chronic conditions
- Secondhand smoke is especially dangerous for children and seniors
- The human nose can easily detect small amounts of smoke

Secondhand Smoke Drifts

- Smoke can travel up, down, side-to-side, and in ways we can't predict
- Smoke leaks between small gaps in units, through vents, and other openings
- All of those small gaps added together averages about 9 square inches
- Up to 65% of air in apartments is shared between units

Center for Energy and Environment, 2004





- Live Smoke Free
- ## Many "Fixes" Don't Work
- Public Health Law Center
- Opening windows and running ventilation fans may increase air flow and may actually pull smoke into the unit
 - Candles, sprays, and "plug-ins" only mask the smell
 - "Despite product claims, there's little definitive medical evidence that purifiers help relieve respiratory symptoms. Some may pose a threat even to healthy users." (Consumer Reports, December 2007)
 - "At present, the only means of effectively eliminating health risk associated with indoor exposure is to ban smoking activity." (American Society of Heating, Refrigerating & Air-Conditioning Engineers (ASHRAE))





Education to New Renters



- Many college students and young adults are renting for the first time
- Many older adults are renting again after moving out of single family homes
- Most renters don't know that secondhand smoke can be a problem until after they experience it firsthand
- Encourage them to look for smoke-free apartments



Reaching New Renters



- College fairs, college housing offices, senior fairs, senior service agencies
- Explain the problem and how to look for smoke-free apartments
- View Live Smoke Free's Brochure: ["What to Know Before You Rent"](#)





Working with Renters Exposed to Secondhand Smoke





Typical Renter Stories



- Recently moved in or neighbor recently moved in
- Family with small children or elderly/disabled family members
- Smelling smoke coming in through vents, walls, outlets, windows, etc.
- Worried about their health and the health of their family





Typical Renter Stories



- May have tried talking with manager
 - Probably has not tried talking with neighbor
 - Manager will often not know what to do or will say that nothing can be done
- May have tried some home remedies such as putting towels under doors, running fans, or purchasing an air purifier
- Often very frustrated that problem is not being solved
- May take drastic steps such as sleeping in the living room or staying with a friend





Things to Remember



- Emotions are likely very high
- Renter may be elated that she/he found you after searching for a solution for so long
- Renter may be frustrated that you can't simply tell the manager what to do
- Renter may not have a lot of credibility with the manager
 - Some renters complain about a lot of things and are labeled as "troublemakers"
 - May have already damaged their relationship with the manager due to other complaints/issues



Suggestions for Renters



- Keep a log/record of when smoke enters unit
 - Where is the smoke coming from?
 - How bad is it?
 - Are there any health effects noticed?
 - How long did the exposure last?
- Create list of solution attempts
 - Trying some temporary solutions may help to illustrate the severity of the problem
- Talk with neighbors
 - Talking with a smoking neighbor might not always be comfortable or safe
 - Other neighbors may be experiencing the same problem and may be willing to talk with the manager



Suggestions for Renters



- Write a letter to the property manager
 - Explain problem and offer solutions
 - May include letters from doctors
 - Keep copies of all correspondence
 - Can write to property owner/management company if appropriate
 - Provide information on adopting a smoke-free policy if appropriate
 - [View Live Smoke Free's sample letter from renter to manager](#)
- Follow up with a visit or phone call



Renters Working Together



- Can a coalition of renters be effective at convincing the manager to go smoke free?
- Depends on the culture of the building
- May take a lot of your time to organize; see if a renter will take the lead
- Some buildings have a Residents' Association that helps guide management on decision making
 - The true power of a Residents' Association varies
- [View Live Smoke Free's sample resolution from a Residents' Association to the manager](#)



Live Smoke Free  **Seeking Third-Party Help** 


- Local advocacy groups
 - Smoke-free housing organizations
 - Tenant advocacy organizations
 - Health advocacy organizations
- Government organizations
 - Health departments
 - Housing services
 - Attorney general
 - HUD's Multifamily Complaint Line
- Elected officials
- Media
- Legal assistance




Live Smoke Free  **Brochures for Renters** 

- Outlines the problem of secondhand smoke in apartments and offers some solutions
 - “Simple” brochure is a first look and can be placed in community settings, clinic waiting rooms, or other social service agencies
 - Live Smoke Free produces this brochure in English, Spanish, Somali, Hmong, and Oromo
 - [View “simple” brochure](#)
 - “Detailed” brochure is more in-depth and is sent to renters after a phone consultation to summarize suggestions given
 - [View “detailed” brochure](#)


Live Smoke Free  **Sample Brochures** 



What to Know Before You Rent



Secondhand Smoke in Your Apartment



Enjoying Smoke-Free Air in Your Apartment



What Can Your Organization Offer?



- A sympathetic ear can help calm a situation
 - Track complaints from renters to monitor if several renters have contacted you about the same building
- Write a letter to the manager/management company offering your assistance in helping them adopt a smoke-free policy
 - Don't mention the renter's name
 - [View Live Smoke Free's sample letter to managers](#)



What Can Your Organization Offer?



- Provide the renter with sample documents and educational materials
 - Secondhand smoke information, documents on going smoke free, sample letter from doctor, petition for other renters to sign
 - View Live Smoke Free's sample documents
 - [Fact sheet on secondhand smoke and renters' rights](#)
 - [Letter from doctor to manager](#)
 - [Petition for renters](#)



What Can Your Organization Offer?




- Coordinate a meeting with multiple renters to discuss the issue
 - Best to meet in public and not in the apartment building; avoids making the manager angry and is safer
- Offer to meet with the renter and the manager to discuss a solution
 - Remember that you aren't legally representing the renter; you are there to provide information for a potential solution
- Be careful of these options so that you don't ruin a potential relationship with the manager or management company
 - Set parameters about what you will provide to renters
 - Some have asked us for help with moving costs, legal fees, multiple phone calls to management, etc.

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Possible Outcomes

Public Health Law Center

- Management conducts a survey of renters to gauge experiences with secondhand smoke
- Management holds a community meeting with renters
- Renter can be relocated to another unit in the building/complex
- Renter can be allowed to end lease early with no penalty so they can move
- Depending on situation, renter can initiate legal action
- Manager can begin making the building smoke free



Live Smoke Free

Smoke-Free Housing: Residents and Legal Options

Public Health Law Center




Live Smoke Free

Residents

Public Health Law Center

Questions:

- Have you talked with the smoker?
- Have you talked with the landlord?
- Have you talked with other residents?
- Are you low-income?
- Do you have a serious health condition?



Statutory Options

- Smoke-free law
- Common areas
- Entrances and setbacks



Legal Remedies for Residents


- **Common Law**
 - Nuisance
 - Breach of warranty of habitability
 - Trespass
 - Constructive eviction
- **Some success**
- **Likely would require an attorney**




Legal Services

Legal Aid

- Services based on financial eligibility
- May or may not have dealt with SHS before
- Heavy case load



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Federal Disability Cases


Federal Fair Housing Act


Federal Rehabilitation Act

Americans with Disabilities Act

State Human Rights Acts

- **Kirk v. Guilford** (Illinois, 1997)
- **HUD v. Magnolia Walk Apartments,** (Florida, October 2011)



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Resources / Options

Tenant Advocacy Organizations

HOME Line is now providing low-cost legal services for renters in Minneapolis. [Attorney consultations for \\$25](#)

HOME ABOUT HOTLINE TRAININGS ORGANIZING PUBLIC POLICY PUBLICATIONS VOLUNTEER DONATE NOW

HOME Line
A nonprofit Minnesota statewide tenant advocacy organization

TENANT HOTLINE
If you are a tenant in Minnesota and you have a rental housing question, you can:
• Reach our Tenant Advocates for legal advice at:
Metro Area: 612-778-5767
Greater MN: 1-866-866-3546
Hours: 9am to 4pm (M-F)


HOME LINE NEWS
MN renter's credit/refund: Did you receive your CRP?
The *Minnesota renter's credit/refund* is a state property tax refund for tenants. This refund assists renters with the tax burden they pay directly to their landlord because of the property taxes imposed on rental housing.

How to be the Smartest Renter on Your Block
A Minnesota tenant's guide to...

Order your Tenant Rights Book Now

Minneapolis Renters

Upcoming Tenant/Landlord Trainings & C.T.P.s

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Resources / Options

Attorney Referral Services

AUSTIN BAR ASSOCIATION

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LEGAL RESOURCES FOR THE COMMUNITY

COMMUNITY PROJECTS

LEGAL EDUCATION

Legal Resources for the Community
Frequently Called Numbers
General Law | Domestic Violence | Low Income | Disability | Veterans | Elder Law
Filing a Grievance | Other

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Resources / Options

Public Health Law Center

Law School Clinics

UNIVERSITY OF TEXAS AT AUSTIN
WILLIAM S. RICHARDSON
SCHOOL OF LAW

PROGRAMS, CLINICS & INSTITUTES

QUICK LINKS

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Resources / Options

Public Health Law Center

Pro Bono attorney programs

VLN
VOLUNTEER LAWYERS NETWORK

How would you like to use this site?

CLIENTS
I need legal advice or services.

VOLUNTEERS
I am an attorney or law student and would like to see if you can give access to your talents, CLEs and other information.

SUBSCRIBERS
I would like to learn more about VLN and how I can help.

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Resources / Options

Public Health Law Center


Online legal resource help

TexasLawHelp.org
KNOWLEDGE IS POWER

Other States | Find Legal Assistance | About Legal Aid | Legal Aid Directory


Welcome to Texas Law Help!

This free guide offers civil legal information to Texans who cannot afford legal help. Learn about your rights, available self-help resources, and organizations that provide free and low-cost legal aid.


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Resources / Options


Mediation Services


The Mediation Center of the Pacific 

HOME ABOUT CONTACT ABOUT MEDIATION SERVICES MEDIATOR TRAINING VOLUNTEER PROGRAM EVENTS




Bringing People Together to Talk & Resolve Their Differences Articles

Live Smoke Free 




Reaching Out to Renters

Live Smoke Free 

Why Would I Conduct Outreach to Renters?

- Even if they are not a primary focus of your work, renters can help to further your movement
- To educate the public about smoke-free apartment options and build the demand for smoke-free housing
- May be an outcome for your project plan



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Community Events




- Most renters don't gather at renter-specific events, so you will have to look for renters at general public events
 - Health fairs, senior living expos, college campuses, etc.
- Partner with other programs in your office/community and see if they will hand out your information at their booth

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Advertising & Media



- Paid ads may be seen by a lot of people, but may not generate any leads for your project
 - Newspapers' "Homes" or "Rentals" section (in print or online), rental search magazines, TV ads
- Paid ads can be costly and not easily measured
- Strategically placed earned media such as LTE's, op-eds, can be useful

Live Smoke Free

Sample Ads

Enjoy 100% Smoke-Free Apartment Living!

Colonial Villa Burnsville
Boulder Court Eagan
Cobblestone Square Apple Valley
High Pointe Apartments Eagan
Apple Valley Villa Apple Valley

Find your smoke-free apartment today!
www.mnsmokefreehousing.org

Enjoy Smoke-Free Air in Your Apartment

Healthy & Living in a Smoke-Free Apartment

Find smoke-free apartments at www.mnsmokefreehousing.org
Free resources for landlords wanting smoke-free apartments & landlords thinking about adopting a smoke-free policy.



Breathe Easy with Smoke-free Apartments

Call Cassandra at 651-646-3005 or visit www.mnsmokefreehousing.org





 **Sample TV Ads** 

- CDC's Media Campaign Resource Center offers several ads about secondhand smoke in apartments
- Can be very costly, but some local programs have been able to afford them
- [Direct link to ads with keyword "apartment"](#)


 **Have an Online Presence** 

- 58% of Americans perform online research of products and services (Princeton Survey Research Associates International, 2010)
- Renters will be looking for solutions online
- Offer a list of smoke-free properties in your area
 - Can be a simple list; doesn't have to be interactive
- Optimize your site so it is found in searches that include your geography
 - "Smoke-free apartments Minnesota", "smoke-free apartments Minneapolis"

 **Live Smoke Free's Web Site** 



Page on parent web site; offers basic information



Program site; offers section just for renters with relevant information

 **Partner with Other Agencies** 



- Social service agencies and health care facilities can distribute your information and connect you with renters
- Rental search services can offer “smoke free” as a searchable option



- Tenant advocacy organizations may exist in your area

Closing Thoughts

 **Closing Thoughts** 

- Renters are the reason we do this work; however, they may not be the most effective messengers for change
- Renters' stories can be a lead to allow you to follow up with a manager and ask for policy change
- Inform renters of their rights and offer them some solutions to help them become their own advocate
- Determine how much time you want to allocate to assisting renters; assisting just one renter can take multiple hours you could spend on landlord outreach instead



 **Webinar Series** 

Based on the Smoke-Free Multi-Unit Housing Program Continuum

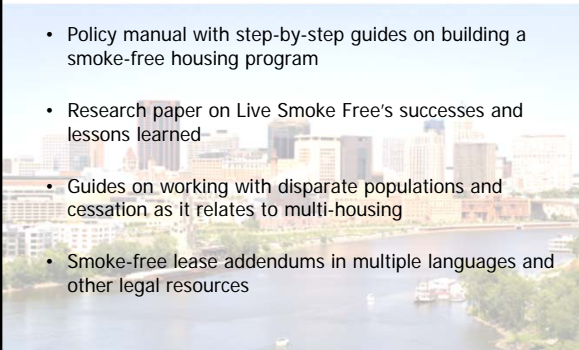
- *The Case for Smoke-Free Housing*
- *Getting to Know the Multi-Housing Industry*
- *Building Your Smoke-Free Housing Program*
- *Understanding Legal Issues*
- *Strategies to Reach the Housing Industry*
- *Working with Property Owners/Managers to Adopt a Smoke-Free Policy*
- *Providing Cessation in Smoke-Free Buildings*
- *Working with Renters Exposed to Secondhand Smoke*
- Program Sustainability – February 23rd

Learn more and register at www.mnsmokefreehousing.org/cppw



 **Coming later in 2012...** 

- Policy manual with step-by-step guides on building a smoke-free housing program
- Research paper on Live Smoke Free's successes and lessons learned
- Guides on working with disparate populations and cessation as it relates to multi-housing
- Smoke-free lease addendums in multiple languages and other legal resources



 **Contact Information** 

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