

Date: (Management Advises Tenants of new non-smoking policy.)

Dear Residents:

We are pleased that you have chosen to reside at _____
(address of the property.) Our goal is to provide you with policies and services that will enhance your use and enjoyment of the property.

The management team has been studying the changes that are occurring in the management of apartment buildings. We have discovered that many owners are deciding to regulate the use of tobacco products within their properties. The reason: secondhand smoke is a health hazard, especially for children, the elderly, and persons with chronic illnesses.

Studies have shown that tobacco smoke can travel from the end of lit cigarettes to all other areas of a building. It can travel through the plumbing, the electrical system, through cabinets and closets, ceiling fans, fireplaces, ventilation systems and under doors. It can also enter windows and doors from residents smoking on patios, balconies, and in courtyards, sometimes even when windows and doors are closed.

In January, 2006, the California Air Resources Board (ARB) identified secondhand tobacco smoke as a Toxic Air Contaminant that may cause and/or contribute to death or serious illness. The ARB regulates outdoor air. It is more serious when tobacco smoke, even small amounts, is present in indoor air.

Under state and local law, a tenancy may be terminated if the tenant commits a "nuisance." A nuisance is defined as an act injurious to health, indecent or offensive to the senses, or that which interferes with the comfortable enjoyment of property by others. We believe that when tobacco smoke travels from one unit to another or from outside into another unit, it is a nuisance.

Also, smoking materials (cigarettes, cigars, etc.) are the leading cause of fire death and the third leading cause of fire injuries in the U.S. according to the National Fire Protection Association.

For all of these reasons we have decided to adopt a no smoking policy for our entire building, including the units, beginning _____ (indicate a date). As of _____ (indicate the same date) smoking will not be permitted in enclosed common areas such as the lobby, halls, laundry room etc. It will also not be permitted in individual units, on balconies and patios and in outdoor common areas. (The no smoking provision for units will begin at the end of lease terms.) We will be designating an area outside where smoking will be permitted.

This new policy will be enforced as any other house rule or lease addendum.

Sincerely,
Management