



**HOUSING AUTHORITY**  
**OF THE CITY OF HOBOKEN**  
400 HARRISON STREET, HOBOKEN, N.J. 07030  
(201) 798-0370



June 13, 2018

**HOUSING AUTHORITY OF THE CITY OF HOBOKEN SMOKE FREE POLICY**

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**IMPLEMENTATION OF HUD'S RULE TO RESTRICT SMOKING IN PUBLIC HOUSING**

**Overview:** HUD's final rule to restrict smoking in public housing was established in the Federal register on December 5, 2016 and went into effect of February 3, 2017. This rule requires each PHA to implement a smoke-free policy, no later than July 30, 2018. The Rule is intended to improve indoor air quality, benefit the health of Public Housing residents and PHA staff, reduce the risk of fires and lower overall maintenance cost. The PHA must incorporate the smoke-free policy into the residents dwelling leased by way of specific language incorporated into the lease or a lease amendment. Such policy must ban the use of tobacco products in all Public Housing units, indoor common areas and administrative offices. The policy must also extend to all outdoor areas up to 25 feet from the Public Housing and PHA administrative offices.

**Purpose of Policy**

In an effort to reduce the increased risk of fire from smoking, the increased cost of maintenance, improve indoor air quality, minimize health effects from secondhand smoke, all housing developments managed by the Hoboken Housing Authority have been designated Smoke-Free housing developments. The use of tobacco products in all Public Housing units, indoor common areas and administrative offices are hereby banned. This policy also extends to all outdoor areas up to 25 feet from the Public Housing and PHA administrative offices.

**Prohibited Tobacco Products**

Tobacco products are defined as items that involve the ignition and burning of tobacco leaves, such as cigarettes, cigars, pipes, and water pipes (also known as hookahs).

**Resident Responsibility**



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All residents shall inform their guests and visitors of the terms and condition of this Smoke-Free policy.

Residents shall promptly give the Housing Authority a written statement of any incident where tobacco smoke is migrating into the resident's dwelling unit from sources out the unit.

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**HHA Responsibilities**

The Housing Authority shall post no-smoking signs at building entrances and exits, in common areas and in conspicuous places adjoining the grounds of each of the designated smoke-free buildings.

The Housing Authority shall maintain a list of smoking cessation classes and counseling at each manager office. Additionally, information for such alternatives shall be displayed on HHA bulletin boards and information centers.

It is not the intent of the Housing Authority smoke free policy to make the HHA or any of its management agents the guarantor of resident health or of the non-smoking condition of resident dwelling units and other designated smoke-free restricted areas.

**Effect of Policy Violation/Breach of Lease**

Any members of their household, guest or visitors will be considered in violation of the Housing Authority's Public Housing smoke free policy and the applicable provisions of the specific language incorporated into the lease or a lease amendment. If determined by the Housing Authority to have acted in violation of this policy in any housing authority designated smoke-free restricted areas. Three (3) violations will be considered to be a material or continuing breach of the smoke free specific language incorporated into the lease or a lease amendment and grounds for termination of the lease by Housing Authority.

After the first warning a cleaning/refurbishing charge of \$50 will be added to the resident's account for each violation of this policy that occurs in any Housing Authority designated smoke free restricted area.



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Breach of the smoke specific language incorporated into the lease or a lease amendment shall give each party to the lease all the rights contained in both the addendum and the dwelling lease.

Residents are required to sign the lease amendment or new lease in presence of a Housing Authority management representative. Failure to sign the lease amendment or new lease may result in legal action.

Copies of the signed and dated lease or a lease amendment shall be retained in the resident's file.