

# Smoke-Free Housing & the RSO

## Rent Stabilization Bulletin



### Did you know?

A UCLA survey in April of 2016, showed that 4 out of 5 tenants, including more than half of those who smoke, support a smoke-free policy in their place of residence.<sup>1</sup> It is possible to create smoke-free policies in rental units that are regulated by the Rent Stabilization Ordinance (RSO).

### Are you a landlord or tenant who would like to have a smoke-free policy in your building?

A landlord can gradually transition their building to a smoke-free facility as long as they comply with the RSO. A landlord may implement smoke-free policies tenant by tenant, as they voluntarily agree to the policies or as their existing tenancies turn over. Generally, new incoming tenants can be required to sign smoke-free policies for all areas of the building at the start of their tenancy. There are special rules for existing tenancies. Existing tenants can voluntarily agree to sign smoke-free policies, but are not required to do so.

### Do's and Don'ts of creating smoke-free policies

	<b>Outdoor Common Areas (Examples: Patios, Balconies)</b>	<b>Indoor Common Areas (Examples: Enclosed hallways, elevators, lobbies)</b>	<b>Inside Units (inside tenant's individual units)</b>
<b>New Incoming Tenants</b>	<ul style="list-style-type: none"> <li>Landlords can adopt smoke-free policies for outdoor common areas.</li> <li>Landlords can inform all tenants of the benefits of a smoke-free policy.</li> <li>Landlords can require a tenant sign a smoke-free policy.</li> </ul>	<ul style="list-style-type: none"> <li>Landlords can adopt smoke-free policies for indoor common areas.</li> <li>Landlords can inform all tenants of the benefits of a smoke-free policy.</li> <li>Landlords can require a tenant sign a smoke-free policy.</li> </ul>	<ul style="list-style-type: none"> <li>Landlords can adopt smoke-free policies for inside the units.</li> <li>Landlords can inform all tenants of the benefits of a smoke-free policy.</li> <li>Landlords can require a tenant sign a smoke-free policy.</li> </ul>
<b>Existing Tenants</b>	<ul style="list-style-type: none"> <li>Landlords can not unilaterally adopt a smoke-free policies in outdoor common areas. Tenants may voluntarily agree.</li> <li>Landlords can inform all tenants of the benefits of a smoke-free policy</li> <li>Landlords can not require a tenant sign a smoke-free policy.</li> <li>Landlords can not evict a tenant for refusing to sign a smoke-free policy.</li> </ul>	<ul style="list-style-type: none"> <li>Landlords can adopt smoke-free policies for indoor common areas.</li> <li>Landlords can inform all tenants of the benefits of a smoke-free policy.</li> <li>Landlords can not require a tenant sign a smoke-free policy.</li> <li>Landlords can not evict a tenant for refusing to sign a smoke-free policy.</li> </ul>	<ul style="list-style-type: none"> <li>Landlords can not unilaterally adopt a smoke-free policy inside units. Tenants may voluntarily agree.</li> <li>Landlords can inform all tenants of the benefits of a smoke-free policy.</li> <li>Landlords can not require a tenant sign a smoke-free policy.</li> <li>Landlords can not evict a tenant for refusing to sign a smoke-free policy.</li> </ul>

### Benefits of a Smoke-Free Policy

- Protects residents from secondhand smoke
- May qualify a building for insurance discounts
- Greater appeal to prospective tenants
- Reduces risk of fire
- Quitting smoking is beneficial to health
- Encourages improved maintenance of units and property

## Remember

California Labor Code 6404.5 passed in 1995 has been interpreted to require no-smoking in enclosed common areas (e.g. lobbies, laundry rooms, enclosed hallways, elevators). California Civil Code 1947.5 adopted in January, 2012 says leases or rental agreement for new tenants (or tenants who voluntarily agree to smoke-free policies) must specify the areas of the property where smoking is not permitted. Under the RSO, a landlord cannot evict a tenant for not complying with a change in terms of tenancy that the tenant did not voluntarily sign.

## Attend one of our Smoke-Free Rental Housing workshops

In September 2017, HCIDLA will have free workshops on the topic of Fair Housing & Smoke-Free Rental Housing. See dates and locations below.

### RSVP for a Workshop

By phone:

(213) 928-9075

Online:

<http://hcidapp.lacity.org/rsoworkshops>

<b>WILSHIRE</b> 3550 WILSHIRE BLVD. 15 <sup>TH</sup> FLR 2 <sup>ND</sup> WEDNESDAY 2:00 PM	<b>SOUTH</b> 690 KNOX ST. 2 <sup>ND</sup> TUESDAY 10:00 AM	<b>GARLAND</b> 1200 W. 7 <sup>TH</sup> ST. 3 <sup>RD</sup> WEDNESDAY 6:30 PM	<b>VALLEY</b> 6400 LAUREL CANYON BLVD 3 <sup>RD</sup> THURSDAY 10:30 AM	<b>WEST L.A.</b> 1645 CORINTH AV. 4 <sup>TH</sup> WEDNESDAY 10:30 AM	<b>EN ESPAÑOL</b> GARLAND 1200 W. 7 <sup>TH</sup> ST. LAST THURSDAY 6:30 PM
<b>SEPT. 13</b>	<b>SEPT. 12</b>	<b>SEPT. 20</b>	<b>SEPT. 21</b>	<b>SEPT. 27</b>	<b>SEPT. 28</b>

## Referrals

### **For more information on this topic you may go to:**

HCIDLA:

[hcidla.lacity.org](http://hcidla.lacity.org) or (866) 557-RENT (7368)

Smokefree Apartments Los Angeles:  
UCLA Center for Health Policy Research  
1(866) 252-3383

[Smokefreeaptsla.org](http://Smokefreeaptsla.org)  
[Salasinhumo.org](http://Salasinhumo.org)

American Lung Association:  
[www.lung.org](http://www.lung.org)

American Cancer Association:  
[www.cancer.org](http://www.cancer.org)

American Heart Association:  
[www.heart.org](http://www.heart.org)

Housing Rights Center:  
[www.hrc-la.org/](http://www.hrc-la.org/)  
(800) 477-5977  
TTY (213) 381-8555

Los Angeles County Department of Consumer and  
Business Affairs:  
[www.dcba.lacounty.gov](http://www.dcba.lacounty.gov) or (800) 593-8222

### **It's never too late to quit smoking, and it improves health. Help is available:**

Los Angeles County Department of Public  
Health-Tobacco Control and Prevention  
Program: (213) 351-7890 or visit:  
<http://www.lapublichealth.org/tob/>

The American Lung Association's Freedom From  
Smoking program visit:  
[www.lung.org/stop-smoking/join-freedom-from-smoking](http://www.lung.org/stop-smoking/join-freedom-from-smoking).

Lung Helpline and Tobacco Quitline:  
1-800-LUNGUSA  
1 (800) 586-4848)

California Smokers Helpline:  
1(800) 662-8887 or visit [www.nobutts.org](http://www.nobutts.org)

CDC Quitline Services:  
1 (800) QUIT- NOW  
1 (800) 784-8669

**Central (Wilshire) Regional Office**  
3550 WILSHIRE BLVD., 15<sup>TH</sup> Floor  
LOS ANGELES, CA 90010

**CD-8 Satellite Office**  
847 5 S. VERMONT AVE., 2nd Floor  
LOS ANGELES, CA 90044

**East Regional Office**  
2215 N. BROADWAY  
LOS ANGELES, CA 90031

**West Regional Office**  
1645 CORINTH AVE., Suite 104  
LOS ANGELES, CA 90025

**South Regional Office**  
690 KNOX ST., Suite 125  
LOS ANGELES, CA 90502

**North (Valley) Regional Office**  
6400 LAUREL CANYON BLVD., Suite 610  
NORTH HOLLYWOOD, CA 91606



Eric Garcetti, Mayor  
Rushmore D. Cervantes, General Manager

P.O. BOX 17280, LOS ANGELES, CA 90017-0280 - (866) 557-RENT - (866) 557-7368 - [HTTP://HCIDLA.LACITY.ORG](http://HCIDLA.LACITY.ORG)