



Ottawa Community Housing No-Smoking Policy Information Sheet



Why is OCH Implementing a No-Smoking Policy?

The serious health hazards of smoking and second-hand smoke are well-known today. Second-hand smoke travels freely from air vents and balconies to neighbouring units. OCH receives requests for No-Smoking housing and complaints from tenants who smell second-hand smoke in their homes. More and more housing providers are implementing No-Smoking policies to create safe and healthy communities for all.

The OCH Board of Directors approved a policy which will:

- prohibit smoking on all OCH property effective **May 31, 2014**
- allow existing tenants who do not have a no-smoking clause in their lease to continue to smoke in their unit until they move
- require every new OCH tenant and every OCH tenant who transfers to a new OCH unit to sign a lease that prohibits smoking in the unit and on any OCH property

1. If smoking is legal, do landlords have the right to ban smoking in rental units?

A: Yes, Landlords have the ability to set policies to protect the health and safety of their residents, and protect their property. Adopting a no-smoking policy is similar to adopting other policies such as a 'no barbeques' policy.

2. Are there other housing providers with No-Smoking policies in Ontario?

A: Yes, there are 70 housing providers in Ontario that have already implemented no-smoking policies in their buildings. The Region of Waterloo Housing prohibited smoking in its 2,700 social housing units on April 1, 2010. Locally, Centretown Citizens Ottawa Corporation (CCOC) created a No-Smoking community at Beaver Barracks. OCH has designated Crichton Street and the new units on Carson's Road as no-smoking.

3. Don't tenants have a right to smoke in the privacy of their own homes?

A: There is no such thing as a right to smoke. While a tenant who smokes chooses to accept the risks associated with smoking, he or she doesn't have the right to impose those risks on their neighbours.

4. Will a No-Smoking policy prevent people who smoke from living in OCH communities?

A: No, it will only prohibit them from smoking in the leased premises and on OCH property. The objective of a No-Smoking policy is to help provide cleaner air for OCH tenants.

5. Will existing tenants and their guests be allowed to continue to smoke in their units?

A: Yes. Existing tenants will be able to continue to smoke as long as they continue to live in the unit. If an existing tenant moves, he or she will have to sign a No-Smoking lease. OCH will continue to promote smoking cessation programs to all tenants.

6. How is a smoke-free policy enforced?

A: OCH has a policy to work with tenants to resolve situations and change behaviour which affects the reasonable enjoyment of the premises. In addition to meeting with tenants and discussing the complaint received, OCH will encourage and provide tenants with referrals to smoking cessation supports.

7. Could someone be evicted if they are not complying with the No-Smoking policy? On what grounds could they be evicted?

A: It is not the intent of a No-Smoking policy to evict tenants. Except in serious situations affecting the safety of other tenants, OCH uses eviction as a last resort. OCH will work with tenants to avoid eviction for smoking. It is possible to evict a tenant if there is evidence a tenant continues smoking contrary to the lease agreement. Ultimately, the Landlord and Tenant Board will decide if the behaviour will result in eviction.