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HOUSING AUTHORITY OF CITY OF BLUE RIDGE
30 OUIDA ST. BLDG G1
BLUE RIDGE, GA. 30513

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Tonya Nuelle – Board Chair
Bill Tilly – Board member
Donna Gay – Board Member
Deb Cantrell – Board Member
Ellan Johnson – Resident Board Member

Final Version Adopted 6-28-18

The Housing Authority of The City of Blue Ridge
Blue Ridge, GA

Non-Smoking Policy Authority Wide
24 CFR Parts 965 and 966
Effective August 1, 2018

1. Department of Housing and Urban Development Rule:

On November 29, 2016, the Department of Housing and Urban Development (HUD) adopted Rule RIN 2577-AC97, effective February 3, 2017, which requires every Public Housing Authority (PHA) administering public housing to implement a smoke-free policy. Specifically, no later than 18 months from the effective date of the rule, each PHA must implement a “smoke-free” policy banning the use of “prohibited tobacco products” in all public housing living units, indoor common areas in public housing and in PHA administrative office buildings. The smoke-free policy must also extend to all outdoor areas 25 feet from any/all public housing and administrative buildings.

Under the rule, a PHA’s smoke-free policy must, at a minimum, ban the use of ALL prohibited tobacco products, which are defined as (1) items that involve the ignition and burning of tobacco leaves, such as (but not limited to) cigarettes, cigars and pipes including water pipes/hookahs.

The Housing Authority of the City of Blue Ridge, known as (BRHA), will not provide any covered designated “Smoking areas”.

2. Purpose of the policy:

This smoke-free policy is intended to benefit the BRHA and all of its public housing residents, visitors, guests and staff by mitigating (1) the irritation and known adverse health effects of secondhand smoke (2) the increased maintenance, cleaning and redecorating costs from smoking (3) the increased risk of fire from smoking and (4) the higher costs of fire insurance for a non-smoking building.

3. Definitions:

Smoking – means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarettes, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. Any device that contains or delivers nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling from the product.





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4. All Buildings to be Smoke-Free:

All BRHA public housing building’s and administrative offices shall be smoke-free. Smoking is prohibited in ALL living units, including any associated balconies, decks or patios in any common area of the building’s, included but not limited to, community rooms, community bathrooms, lobbies, reception areas, hallways laundry rooms, stairways, offices.

5. Smoking on grounds of buildings:

Smoking is prohibited in all areas of BRHA property that is within 25 feet from any public housing building, apartment, common area, including but not limited to entryways, patios, and yard areas.

6. Applicability of Policy:

This policy is applicable o ALL residents, Housing Authority employees, visitors, contractors, volunteers and vendors.

7. Responsibilities of Tenants:

Tenants and any and all household members shall be responsible to enforce this policy as to their guest’s, invitees and visitors to their residential units. Further, a tenant shall promptly give the BRHA a written statement of any incident where tobacco or marijuana smoke is migrating into tenant’s apartment unit from sources outside the tenant’s unit.

8. Housing Authority to promote smoke-free policy:

The BRHA shall post no-smoking signs at entrances and exits, common areas, hallways and in conspicuous places on the grounds of all residential and administrative office buildings. In addition, the BRHA shall provide copies of this policy to all tenants and prospective tenants.

9. Right of tenants to sue other tenants who violate policy:

A tenant may bring legal action against another tenant related to this smoke-free policy but a tenant shall not have the right to evict another tenant. Any legal action between tenants related to this policy shall not create a presumption that the BRHA failed to perform its responsibilities under the policy and all costs associated with any legal action will be at the expense of the tenant.





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10. Violations of Policy:

A violation of this smoke-free policy shall be considered a material breach of the tenant’s lease and grounds for enforcement actions, including eviction, by the BRHA. A tenant who violates the policy shall be liable to the BRHA for any costs of repair to the tenants’ apartment due to damage from smoke, smoke odors, residue or fire. Three (3) violations may result in the termination of the tenant’s lease. Any existing tenant at the date of this policy’s adoption will NOT be refunded any portion of their smoking deposit paid at admittance due to smoking already taking place in the tenant’s dwelling unit.

11. Housing Authority (BRHA) NOT Guarantor of Smoke-Free Environment:

The Housing Authority’s adoption of this smoke-free Policy does not make the BRHA or any of its officers, employees or agents the guarantor of the health of any tenant or of the smoke-free condition of the portions of its properties in which smoking is prohibited under this policy. However, the BRHA will take reasonable steps to enforce this policy. The BRHA is Not required to take steps in response to smoking in violation of this policy unless the BRHA either has actual knowledge of the smoking and the identity of the responsible tenant or has been given written notice of the smoking.

12. BRHA Disclaimer:

The BRHA’s adoption of this smoke-free policy does not in any way change the standard of care that the BRHA would have to render buildings and premises designated as smoke-free any safer, more habitable or improved in terms of air quality standards than any other rental premises. The BRHA specifically disclaims any implied or express warranties that the building, common areas or tenants’ premises will have any higher or improved air quality standards than any other rental property. The BRHA cannot and does not warranty or promise that the rental premises or common areas will be free from second-hand smoke. The BRHA’s ability to police, monitor or enforce the provisions of this policy is dependent in significant part on voluntary compliance by tenants and their guests/visitors. Tenants with respiratory ailments, allergies or any other physical or mental condition relating to smoke are put on notice that the BRHA does Not assume any higher duty of care to enforce this policy than any other Housing Authority obligation under the Tenants’ lease agreements.

Resident Certification

I have read and understand the above smoke-free policy and I agree to comply fully with the provisions of the policy. I understand that failure to comply may constitute reason for the termination of my lease. Failure to sign this certification does NOT prevent the BRHA from terminating your lease and the BRHA has the right not to renew your lease at the next Re-examination date following the adoption of this policy.

Resident Printed name: _____

Apt. # _____

Resident Signature: _____

Date: _____

