

EXHIBIT 8-1: SMOKE FREE POLICY

In accordance with HUD regulations, the Wildwood Housing Authority (WHA) has adopted these smoke free policies. These policies are effective as of January 1, 2018.

Due to the increased risk of fire, increased maintenance costs, and the known detrimental health effects of secondhand smoke, smoking is prohibited in all living units and interior areas, including but not limited to Wildwood Housing Authority hallways, rental and administrative offices, community rooms, laundry centers, and similar structures. Smoking is also prohibited in outdoor areas within 25 feet from public housing and administrative office buildings.

This policy applies to all employees, residents, household members, guests, and service personnel. Residents are responsible for ensuring that household members and guests comply with this policy.

The term “smoking” means any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other prohibited tobacco product in any manner or any form. Prohibited tobacco products include water pipes and/or hookahs.

Violation of the smoke free policy constitutes a violation of the terms of the public housing lease. Consequences of lease violations include termination of tenancy.

Designated Smoking Area

WHA Policy

The WHA has not designated any smoking areas on the WHA’s property. Residents may not discard smoking products on the property.

Electronic Nicotine Delivery Systems (ENDS)

Electronic nicotine delivery systems (ENDS) include e-cigarettes, nicotine inhalers, and vaping devices.

WHA Policy

The use of ENDS is not permitted in public housing units, common areas, or in outdoor areas within 25 feet from housing and administrative buildings.

Effective Date

The WHA’s effective date of this smoke free policy is as follows.

WHA Policy

The smoke free policy will be effective for all residents, household members, employees, guests and service personnel on January 1, 2018.

Tenants must execute a smoke free lease addendum within 30 days of the smoke free policy effective date. Failure to do so constitutes a lease violation and could result in lease termination.

Enforcement

The WHA will enforce smoke free policies when a resident violates this policy. When enforcing the lease, the WHA will provide due process and allow residents to exercise their right to an informal settlement and formal hearing. THE WHA will not evict a resident for a single incident of smoking in violation of this policy. As such, the WHA has implemented a graduated enforcement framework that includes escalating warnings. Prior to pursuing eviction for violation of smoke free policies, the WHA will take a specific, progressive monitoring and enforcement actions, while at the same time educating tenants and providing smoking cessation information. The lease will identify the actions that constitute a policy violation, quantify the number of documented and verified that warrant enforcement action, state any disciplinary actions that will be taken for persistent non-responsiveness or repeated non-compliance, and state how many instances of non-compliance will constitute a violation of the No Smoking policy. Tenancy termination and eviction will be pursued only as a last resort. The PHA may terminate tenancy at any time for violations of the lease and failure to otherwise fulfill household obligations if resident behavior disturbs other residents' peaceful enjoyment and is not conducive to maintaining the property in decent, safe, and sanitary conditions.

WHA Policy

Upon issuance of a written warning from the lease enforcement officer and/or a documented complaint, the WHA will increase the frequency of unit inspections for a suspected policy violator.

The WHA will provide information and resources on smoking cessations, including contact information for the NJ QUIT line and the Capy May County Health Department.

If the resident does not have any new violations for 12 months, the resident will be considered to have a clear record and no further enforcement action will be taken.

Repeated violation of the smoke free policy may rise to the level of other good cause for termination of tenancy. The first warning will be in the form of a reminder letter. The second infraction will result in a cease notice. The third infraction will result in a notice to quit. Continued infractions will result in the housing authority taking action to terminate the tenant's lease.