

Brainerd Housing and Redevelopment Authority (HRA)

Public Housing Smoke Free Policy

1. **Smoke Free Policy.** The Brainerd Housing & Redevelopment Authority Board of Commissioners has adopted a Smoke Free Policy for all its public housing properties. Effective August 1, 2011, smoking is not permitted in any apartment, townhome unit, common area or property grounds of the HRA, North Star Apartments (except in designated areas), Valley Trail Townhomes, and Scattered Site properties.
2. **Purpose of Smoke Free Policy.** The parties desire to mitigate (i) the irritation and known health effects of secondhand smoke; (ii) the increased maintenance, cleaning, and redecorating costs from smoking; (iii) the increased risk of fire from smoking; and (iv) the higher costs of fire insurance for a non-smoke-free building;
3. **Definition of Smoking.** The term “smoking” means inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, or other tobacco product or similar lighted product in any manner or in any form.
4. **Smoke Free Complex.** Employees, visitors, residents and members of resident’s household shall not smoke anywhere in the unit, the building or in any of the common areas or adjoining grounds. Resident’s shall not permit any guests or visitors under the control of resident to do so except in designated areas.
5. **Resident to Promote Smoke Free Policy.** Resident shall inform resident's guests of the smoke free policy.
6. **HRA to Promote Smoke Free Policy.** HRA shall post no-smoking signs at entrances and exits, common areas, hallways, and in conspicuous places adjoining the grounds of the apartment complex. In an effort to minimize the discarding of cigarette butts on the grounds, the HRA shall place out posts at the entrance to the North Star and the HRA office.
7. **Disclaimer by HRA.** HRA cannot and does not warranty or promise that the rental premises or common areas will be free from secondhand smoke. Resident acknowledges that HRA's ability to police, monitor, or enforce the agreements of this Policy is dependent in significant part on voluntary compliance by visitors, resident and resident’s guests. Residents with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that HRA does not assume any higher duty of care to enforce this Policy than any other HRA obligation under the Lease.
8. **Effect of Breach and Right to Terminate Lease.** A material breach of this Policy by a resident shall be a material breach of the lease and grounds for immediate termination of the Lease.