

MAKING AFFORDABLE HOUSING SMOKE-FREE

First Steps



This fact sheet answers common questions the public health community and others may have when they begin to advocate for smoke-free housing policies in low-income or subsidized multi-unit housing.

It offers suggestions on how to find affordable housing providers and educate them about smoke-free policies and recommends potential allies for collaboration on smoke-free housing policy initiatives. This publication supplements the Public Health Law Center's other resources on smoke-free housing located on its [website](#).

Q: How do I locate affordable housing developments in my community?

A: The U.S. Department of Housing and Urban Development (HUD) has a [searchable map](#) with information about affordable housing providers



across the U.S. Another great resource is your state's housing finance agency. This organization usually has a listing of all properties that have received a special federal tax credit available for low-income housing developments (commonly called Section 42 credits, referring to the section of the federal tax code). You may also want to explore a specific city or county website using

terms like “housing” or “community development” in a search engine to see if any planning efforts are underway for low-income housing developments and to identify which departments or agencies are involved.

To learn more about non-governmental affordable housing developers and operators, contact organizations that offer assistance to low-income tenants, such as social services agencies, fair housing councils, legal aid attorneys, and tenant advocacy organizations. These groups can be invaluable in introducing you to the key players that provide affordable housing in your community.

Q: How do I find affordable housing providers?

A: The best way to connect with owners and operators of affordable housing is to join their trade associations. As a member, you will be able to receive their publications, subscribe to their blogs, and attend their meetings and conferences. This is a great way to learn more about the specific issues and challenges facing affordable housing providers. To locate groups in your state, the National Low Income Housing Coalition has a [listing of partner organizations that work statewide](#). Another useful trade organization is the [National Association of Housing and Redevelopment Officials](#), which has regional and state chapters.

Q: How do I educate affordable housing providers about smoke-free housing?

A: One effective way to do outreach is to attend and exhibit at affordable housing conferences. Hosting an exhibit booth with information about smoke-free housing can help you start conversations with providers who might not know about this concept yet. Many organizations hosting virtual conferences offer virtual exhibit booths. Through networking, you may also identify “early adopters” — those who have already implemented a smoke-free policy for their housing complex. Make sure to get their contact information and ask them to join your educational efforts, as they can be valuable spokespeople to help influence their peers about the benefits of and tips for effectively implementing a smoke-free housing policy. Public Housing Authorities (PHA) that own and manage public housing in your community have been required to implement the HUD smoke-free rule, which was first required in 2018. These PHAs are a good resource to provide success stories, as well as tips for troubleshooting potential challenges that may arise when first adopting a smoke-free policy.

Giving presentations at local community meetings or trade association conferences can also be an excellent opportunity to educate affordable housing providers about smoke-free housing policies. When submitting a conference abstract, include speakers whose stories



will be particularly influential to your target audience, such as a low-income renter who has been affected by drifting secondhand smoke or a housing provider who has successfully implemented a smoke-free policy. Presenting at local meetings can also be very effective. Often organizers of regularly scheduled coalition or trade association meetings are looking for speakers on interesting topics. By contacting the organizer and offering to talk, even for a few minutes, you can begin to introduce people to the possibility of smoke-free housing.

Another way to communicate with affordable housing providers is by publishing an article about smoke-free housing in their newsletters, magazines, or blogs. When submitting an article idea to the publisher, think of different approaches to present your interesting and useful information. One format might be a “Q&A” with an attorney answering common legal questions people might have about implementing a smoke-free housing policy.

Producing a webinar or webinar series is an excellent way to get information to a wide audience virtually. Live webinars allow for a format that provides opportunities to address participant questions in real time. Webinars can also be recorded and shared so viewers can watch the webinar on their own time or return to it in the future.

To complement all your outreach and educational activities, develop a packet of informational materials to distribute to affordable housing providers. This packet can be printed for

distribution and hosted on your website to ensure broad access to the material. Numerous resources have already been developed by smoke-free housing advocates working across the country, and most are willing and eager to share their materials with you.

Q: What influential messages can I use with affordable housing providers when promoting smoke-free housing policies?

A: The goal of affordable housing organizations is to provide low-cost, safe, and healthy housing to all members of their community — including children, people with disabilities, older persons, and people with low incomes. Many housing providers, however, are completely unaware of the serious health risks that even limited exposure to drifting secondhand smoke can have on the populations they serve. They need to understand the negative health effects of secondhand smoke exposure and the importance of creating smoke-free living environments.

Explaining how a smoke-free housing policy is necessary for advancing social justice and equity can be key in motivating providers to implement a policy. The very people that affordable housing providers hope to serve — people with limited or fixed incomes — are most likely to suffer from chronic diseases and disabilities that may be made worse when they are exposed to secondhand smoke. Because of their limited financial resources, these renters have few options to escape from the drifting smoke infiltrating their apartment. Renters with higher incomes may have more choices for living in smoke-free environments: they may be able to afford to move if a neighbor's smoke is bothering them, or they may be able to live in a market-rate apartment complex that is already smoke-free. Smoke-free living should not depend on one's income level.

You might also want to point out that smoke-free affordable housing is a growing trend across the country and that policies have been adopted by very large public housing authorities with thousands of units — as well as by small rural providers with only a dozen or so units.¹ Moreover, HUD — the primary funder of subsidized housing — requires public housing authorities to implement smoke-free policies for certain types of affordable housing called public housing.

In addition to emphasizing the social and health equity aspects of a smoke-free housing policy, share messages about the cost savings associated with the policy. These messages include the significant savings in turnover and maintenance costs an affordable housing provider could accrue after implementing a smoke-free policy, along with the possibility of lowered insurance premiums because of the reduced risk of fire. Affordable housing providers need to understand that smoke-free housing policies are legal, do not unlawfully discriminate against tenants who smoke, and do not violate renters' privacy rights.²



Q: What type of organizations might I collaborate with when working to achieve smoke-free affordable housing?

A: Inviting stakeholders to join a coalition or advisory board to help guide your smoke-free housing work can be invaluable. Stakeholders can help formulate strategies, test messaging and educational materials, and introduce you to key decision makers. Perhaps a multi-disciplinary stakeholder group engaged in affordable housing issues already exists in your community. If so, joining that coalition and exploring the possibility of making smoke-free housing a priority for this group could also be an effective approach.

Potential partners — whether forming a new group or joining an existing one — could include:

- Asthma prevention programs
- Medical providers, such as pediatricians and pulmonologists
- Fire fighters and emergency responders
- Community clinics, health educators, and public health organizations
- Fair housing councils and other tenant advocacy organizations
- Legal aid societies
- Elected officials interested in housing, equity, seniors, children, or health
- Local government staff involved with affordable housing, code enforcement, social services, public health, and environmental health
- Local affordable housing providers that are interested in or have implemented a smoke-free housing policy

Resources

- **Public Health Law Center**
<https://www.publichealthlawcenter.org/topics/commercial-tobacco-control/smoke-free-tobacco-free-places/housing>
- **American Nonsmokers' Rights Foundation**
<https://no-smoke.org/at-risk-places/homes>
- **American Lung Association**
<https://www.lung.org/policy-advocacy/tobacco/smokefree-environments/multi-unit-housing>
- **Association for Nonsmokers: Minnesota, Live Smoke Free Program**
<https://www.ansrmn.org/our-programs/live-smoke-free>
- **Centers for Disease Control and Prevention**
https://www.cdc.gov/tobacco/basic_information/secondhand_smoke/going-smokefree-matters/multi-unit/index.html

Contact Us

Please feel free to contact the Public Health Law Center at publichealthlaw@mitchellhamline.edu with any questions about the information included in this guide or to discuss local concerns you may have about implementing such a policy.

This publication was prepared by the Public Health Law Center at Mitchell Hamline School of Law, Saint Paul, Minnesota. The Center provides information and technical assistance on law and policy issues related to public health. The Center does not provide legal advice or enter into attorney-client relationships, and this document should not be considered legal advice. This publication was made possible by funding from Clean Air for All: The Smoke-Free Public Housing Project and the Robert Wood Johnson Foundation. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of Clean Air for All or the Foundation.

Endnotes

- 1 See Public Health Law Center, *Comparing Private & Public Multi-Unit Housing* (2021).
- 2 For more information, see Public Health Law Center, *Creating Smoke-free Affordable Housing* (2021).