



# Housing Durham

Housing Services Division

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<b>Title: No-Smoking Policy (Schedule C in Tenancy Agreement)</b>		
<b>Policy #: LO 03-01</b>	<b>Issued: February 2021</b>	<b>Page #: 1 of 2</b>
<b>Revised: March 2026</b>		

## 1. Purpose

- 1.1. The Durham Regional Local Housing Corporation (DRLHC) is transitioning to a smoke-free environment. Effective February 1, 2021, all forms of smoking and vaping are prohibited at all DRLHC properties per the No-Smoking Policy, due to the irritation and known health risks of exposure to second-hand smoke, increased risk of fire, and increased maintenance, cleaning and redecorating costs.

## 2. Definition of Smoking

- 2.1. Smoking refers to the smoking or holding of lighted tobacco or cannabis (medical or recreational).

## 3. Definition of Vaping

- 3.1. Vaping refers to inhaling or exhaling vapour from an electronic cigarette, or holding an activated electronic cigarette, whether or not the vapour contains nicotine

## 4. Definition of Business Invitee

- 4.1. The term “business invitee” includes but is not limited to any contractor, tradesperson, agent, household worker, or other person hired by the tenant or resident to provide a service or product.

## 5. No-Smoking Policy

- 5.1. Effective February 1, 2021, smoking of tobacco and cannabis and vaping is prohibited in all common areas in the interior of DRLHC buildings and anywhere on the exterior of DRLHC properties – including private rental units, balconies, and patios. The Tenant, members of the Tenant’s household, visitors, guests, and business invitees shall not smoke anywhere in the Tenant’s rental unit, in other private rental units, interior common areas or on the exterior property of the community housing property where the Tenant’s unit is located.
- 5.2. The No-Smoking Policy will be adopted through attrition. This means that:

- Existing Tenants (prior to February 1, 2021) will be grandfathered (exempted) for the length of their tenancies, and permitted to smoke inside their own unit only, unless they choose to sign a No-Smoking Policy as an addendum to their Tenancy Agreement.
- New tenants will sign leases with the No-Smoking Policy included.

## **6. Tenants are to Promote No-Smoking Policy and to Alert Landlord of Violations**

- 6.1. The Tenant must inform their guests, visitors and business invitees of the No-Smoking Policy. The Tenant will promptly give the Landlord a written statement of any incident where tobacco or cannabis smoke or other smoke or vapour is migrating into the Tenant's unit from sources outside of the Tenant's unit.

## **7. Landlord to Promote No-Smoking Policy**

- 7.1. The Landlord will post no-smoking signs at entrances and exits, common areas, hallways and in conspicuous places adjoining the grounds of the community housing property.

## **8. Landlord is Not a Guarantor of Smoke-Free Environment**

- 8.1. The Landlord's adoption of a No-Smoking Policy does not make the Landlord or its staff the guarantor of the Tenant's health or of a smoke-free unit, building or complex. The Landlord will take reasonable steps to enforce the no-smoking terms of its tenancy agreements. The Landlord is not required to take steps in response to unauthorized smoking or vaping unless the Landlord is notified in writing of the presence of tobacco or cannabis smoke, or vapour.

## **9. Tenant Compliance with No-Smoke Policy and Liability**

- 9.1. The Tenant acknowledges that the Landlord's ability to police, monitor or enforce compliance with this policy is dependent in significant part on voluntary compliance by the Tenant, the Tenant's guests and other occupants of the property. The Tenant is liable for any damages unauthorized smoking or vaping causes to the rented premises. Such costs may include, but are not limited to, replacement of items damaged by smoke or the smell of smoke, painting and cleaning, and any other costs incidental to restoring the premises to a smoke-free condition.

## **10. Related Legislation and Resources**

- 10.1. [durham.ca/en/health-and-wellness/smoking-chewing-and-vaping-tobacco.aspx](https://www.durham.ca/en/health-and-wellness/smoking-chewing-and-vaping-tobacco.aspx)
- 10.2. [Smoke Free Ontario Act, 2017](#)