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APPROVED BY: Executive Director, Care Services	POLICY
	DATE APPROVED: April 2013
	DATE REVISED:

No-Smoking Policy Statement

To protect and enhance our indoor air quality and to contribute to the health and well-being of all tenants and employees, the OFRA premises shall be entirely smoke free effective May 31, 2013. Smoking is prohibited in all of the enclosed areas within the OFRA without exception. This includes common grounds, employer owned or employee vehicles, and all other enclosed facilities. Smoking is only allowed in designated, clearly marked areas.

Buildings

Due to the known health risks of exposure to second-hand smoke, increased risk of fire and increased maintenance costs:

- No tenant, resident, guest, business invitee, or visitor shall smoke cigarettes, cigars, or any similar product whose use generates smoke within the building. This prohibition includes all residential units within the building, all balconies and patios, enclosed common areas, as well as outside within 9 meters of doorways, operable windows and air intakes.
- “Smoking” shall include the inhaling, exhaling, burning, or carrying of any tobacco or similar product whose use generates smoke.
- “Business invitee” shall include but is not limited to any contractor, agent, household worker, or other person hired by the tenant or resident to provide a service or product to the tenant or resident.

OFRA Property

No one may smoke along any path way or walk way leading to or from the parking lot, nor may employees/tenants/visitors smoke at the picnic tables nor outdoors in any of the grassy areas or the parking lots.

Smoking is allowed only in designated smoking areas which are clearly marked outdoors and meet the Act/Regulation (minimum 9 meters of any doorways, operable windows and air intakes.)

No additional breaks are allowed to any employee who smokes. Finally, smokers and users of tobacco products must dispose of the remains in the proper containers. This helps to keep a neat and clean environment for all employees and our visiting partners and customers.

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Breaches of No-smoking Policy - Tenants

- Breaches of the No-smoking Policy (attached as Schedule A of the lease) will be considered a breach of the lease and will be grounds for termination of the lease and tenancy based on disturbance of reasonable enjoyment and substantial interference with the right, privilege or interest of the OFRA and its tenants.
- This prohibition does not apply to tenants whose tenancies pre-date the implementation of the non-smoking policy. Those tenants and their guests, business invitees, or visitors are permitted to smoke cigar, cigarettes, and similar products in their units, on their balconies/patio, as well as elsewhere on the property except where prohibited by law. In accordance with Provincial legislation, smoking is not permitted in elevators or in other common areas within the building.

OFRA specifically disclaims any implied or express warranties that the building, common areas or tenant's premises will have any higher or improved air quality standards than any other rental property. OFRA cannot and does not warranty or promise that the rental premises or common areas will be free from second-hand smoke. Tenant acknowledges that OFRA's ability to police, monitor, or enforce compliance with this policy is dependent in significant part on voluntary compliance by tenant and tenant's guests and other occupants of the complex. Tenants with respiratory ailments, allergies, or any other physical, mental, emotional, or psychological conditions relating to smoke are put on notice that OFRA does not assume any higher duty of care to enforce this policy than any other landlord obligation under the lease.

As a result of this transition period, the smoke may drift from smoking units into non-smoking units. The Ontario Finnish Resthome Association accepts no responsibility for damages or the disturbance of reasonable enjoyment that may occur as a result of drifting smoke.