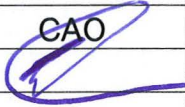




DISTRICT OF TIMISKAMING SOCIAL SERVICES  
ADMINISTRATION BOARD

SOCIAL HOUSING PROGRAM  
POLICY MANUAL

POLICY #:	SH-RR-01-08
-----------	-------------

<b>SUBJECT:</b>	Smoking Policy		
<b>SECTION:</b>	Social Housing		
<b>IMPLEMENTATION DATE:</b>	May 2014	<b>APPROVED BY:</b>	CAO
<b>REVISION DATE(S):</b>		<b>SIGNATURE:</b>	
<b>ASSOCIATED DOCUMENT(S) #:</b>			
<b>RELATED POLICY(IES):</b>			
<b>RELATED LEGISLATION/ACT/REG:</b>			

**PURPOSE/OVERVIEW/BACKGROUND**

The purpose of this Policy is to establish guidelines regarding smoking in the District of Timiskaming Social Services Administration Board (DTSSAB) social housing buildings throughout the District.

Although not specifically mandated under this regulation, this Policy is in keeping with the *Smoke-Free Ontario Act*.

The DTSSAB Social Housing Department maintains a commitment to promoting a safe and healthy environment within its buildings.

Exposure to second-hand smoke has been scientifically proven to be harmful to everyone — non-smokers and smokers alike. Without prohibiting smoking entirely, the DTSSAB has an interest in creating a climate of mutual respect by formally identifying where smoking is permitted.

**POLICY STATEMENT**

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, all forms of smoking shall be prohibited.

Effective June 1, 2014, smoking is prohibited inside all multi-residential buildings, including private units, on balconies and patios, of all social housing multi-residential buildings owned by the DTSSAB as per Schedule "A".

Effective June 1, 2014, smoking is prohibited inside all detached, semi-detached and row-house family buildings owned by the DTSSAB as per Schedule "B".

The smoke free buffer zone of within five (5) metres of all windows, entrances and exits to all multi-residential DTSSAB social housing buildings as per Schedule "A" will be in place however enforcement will be phased in as the Policy is communicated to tenants.



***SOCIAL HOUSING PROGRAM  
POLICY MANUAL***

<b>POLICY #:</b>	SH-RR-01-08
------------------	-------------

**POLICY OBJECTIVES**

The DTSSAB's Smoking Policy is targeting the following outcomes;

1. To create a healthier environment for tenants, visitors, contractors and staff.
2. To provide safer communities for tenants, visitors, contractors and staff by reducing the risk of fire and the risk of exposure to second-hand smoke.
3. To decrease the cost of property insurance premiums by reducing the risk of fire in buildings where smoking is prohibited.
4. To decrease the unit turnover costs by reducing the cost of preparing a unit for rental by mitigating the damage caused by smoking inside a unit.
5. To create smoke-free housing within DTSSAB social housing buildings.

**PRINCIPLES**

- Provide safe and healthy communities for tenants and staff
- Balance the rights of individual tenants to live in an environment free from second-hand smoke with the privileges of current tenants who smoke
- Accommodate tenants with chronic health conditions that are worsened by exposure to second-hand smoke

**APPLICATION**

This Policy applies to all persons, including but not limited to tenants, members of tenants' households, visitors, guests, business invitees, employees, contractors and support service providers living at, working at or visiting all DTSSAB social housing buildings.

The Smoking Policy will be adopted through attrition. This means that:

1. Existing tenants will be grandfathered (exempted) for the length of their tenancy in their current unit, unless they transfer to a new unit or choose to sign a Smoking Policy Lease Addendum; and
2. New tenants will sign leases with the Smoking Policy included.

All tenants (existing and new ) of multi-residential buildings as outlined in Schedule "A" must abide by the Smoking Policy that pertains to the five (5) meter smoke-free buffer zone around all windows, entrances and exits to all DTSSAB social housing buildings

Tenants are to promote the Smoking Policy and alert the DTSSAB of violations of the Policy. Tenants shall inform guests, invitees, and visitors of the Smoking Policy. Tenants shall promptly give DTSSAB a written statement of any incident where smoke is migrating into the tenant's unit from sources outside of the tenant's unit.



**SOCIAL HOUSING PROGRAM  
POLICY MANUAL**

<b>POLICY #:</b>	SH-RR-01-08
------------------	-------------

**DEFINITIONS**

- Smoking: The term “smoking” means inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, pipe or other tobacco product in any manner or in any form.
- Multi-Residential Building: The term multi-residential building means any property listed in Schedule “A” that is owned by the DTSSAB including but not limited to garages, sheds, equipment (tractors) and any enclosed area within the buffer free zone as established in this Policy.
- Family Unit: The term family unit means any detached, semi-detached and row-housing as listed in Schedule “B” that is owned by the DTSSAB.

**PROCESS/PROCEDURE/PROTOCOL**

The success of this Policy depends upon the thoughtfulness, consideration and cooperation of tenants. This Policy does not guarantee a smoke-free environment but provides the DTSSAB and the residents the tools to work toward a smoke-free environment. Similarly, DTSSAB staff are not guarantors of tenants’ health or of a smoke-free building. However, the DTSSAB and its staff will take reasonable steps in response to smoking incidents to enforce the Smoking Policy.

**ROLE OF DTSSAB STAFF**

When DTSSAB staff are present at a DTSSAB property, they will regularly monitor compliance of the Smoking Policy. If a staff member observes any party, including but not limited to a tenant, guest, contractor or staff smoking inside a DTSSAB building or unit they will advise the individual of the Smoking Policy and will request that the tenant, guest, contractor or staff discontinue smoking immediately. If smoking is occurring within the five (5) meter smoke-free buffer zone at a multi-residential building, staff will advise the individual of the Smoking Policy and will request that the individual(s) move out beyond the five (5) meter smoke-free zone.

In the event that a tenant, guest, contractor, staff refuses to move or repeatedly smokes in an area designated no smoking, the staff member will report this to the Social Housing Office. The Social Housing Office will follow the process outlined for Tenant Complaints.

**TENANT COMPLAINTS**

When a DTSSAB staff member receives or observes a violation of the Smoking Policy, they are to report the incident immediately to the Social Housing Supervisor.



**SOCIAL HOUSING PROGRAM  
POLICY MANUAL**

<b>POLICY #:</b>	SH-RR-01-08
------------------	-------------

The following steps will be taken by the Social Housing Supervisor to ensure compliance of the Policy:

- Ask the complainant to put the concern in writing.
- Meet with or interview the complainant by telephone to clarify concerns.
- May visit or interview by telephone neighbouring tenants to verify complaint.
- Advise the alleged offender of concerns received and what steps need to be taken to correct the situation.
- A follow-up letter is to be sent to the non-compliant tenant of the Smoking Policy outlining what action needs to be taken by the tenant to correct the situation.
- Should the tenant not comply, a second discussion with the tenant will take place and, if required, staff may discuss the possibility of looking for supports for this tenant including but not limited to CMHA or Timiskaming Home Support to assist with compliance.
- A second follow-up letter will be sent to the tenant summarizing the follow-up discussion and any action to take place.
- If a third complaint is received and concerns continue, the necessary *Residential Tenancy Act (RTA)* documents (under reasonable enjoyment) may be served to the tenant. The Tobacco Enforcement Officer may be involved for non-compliance of municipal bylaws.
- The tenant now has seven (7) days to conform as per the notice of termination. Should the tenant not comply, staff will then file an application with the Landlord and Tenant Board (LTB).
- Ask the complainant and neighbouring tenants to attend the LTB hearing, if required.
- At the LTB hearing, mediation may take place advising the tenant to adhere to their signed lease and the advice given by the LTB mediator.
- Should the tenant not comply with the mediation, the DTSSAB will apply for another LTB hearing.
- LTB decision will be final up to and including eviction.

### CONTRACTOR COMPLAINTS

Contractors will be advised of the specifics of the Smoking Policy. Under the *Smoke-Free Ontario Act* and *Ontario Regulation 48/06*, workers are prohibited from smoking in an enclosed workplace. Additionally, contractors and any persons employed by a contractor will comply with the five (5) metre smoke-free buffer zone around the building, windows, entrances or exits for DTSSAB social housing buildings. Should they not observe the Policy; the following steps will be taken by staff:

- The contractor will be reminded verbally of the Policy by staff.
- The staff person will immediately report the incident to the Social Housing Maintenance Supervisor or designate.



**SOCIAL HOUSING PROGRAM  
POLICY MANUAL**

<b>POLICY #:</b>	SH-RR-01-08
------------------	-------------

- A warning letter will be sent to the contractor by the Social Housing Maintenance Supervisor.
- Should another infraction take place, a second letter will be sent to the contractor by the Social Housing Maintenance Supervisor outlining the Smoking Policy and advising them that their contract may be terminated should the violation continue.
- A third letter for non-compliance with the Smoking Policy will result in termination of contract.

#### TENANT CHARGEBACK

Upon vacating the unit, tenants will be charged for any costs incurred due to smoking-related damage to their unit that is beyond the normal cost of unit repair. Normal wear and tear to the unit will not be charged back to the tenant.

#### TENANT NOTIFICATION

Effective June 1, 2014 an explanation of this Policy shall be included in the tenant package and distributed to all new tenants. Existing tenants will receive written notice of this Policy change. Tenants are advised of their responsibility to review updated or new Policies as provided at the time of lease signing.

#### DISCLAIMER

The DTSSAB specifically disclaims any implied or express warranties that the building, common area or tenant's premises will have any higher or improved air quality standards than any other rental property. The DTSSAB cannot and does not warrant or promise that the rental premises or common areas will be free from second-hand smoke. Tenant acknowledges that the DTSSAB's ability to police, monitor, or enforce compliance with this Policy is dependent in significant part on voluntary compliance by each tenant, tenant's guest 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 the DTSSAB does not assume any higher duty of care to enforce this Policy than any other landlord obligations under the lease.

#### REVIEW DATE

The DTSSAB Social Housing Staff will review the Policy annually.



# DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD

## *SOCIAL HOUSING PROGRAM POLICY MANUAL*

<b>POLICY #:</b>	SH-RR-01-08
------------------	-------------

### CONTACT INFORMATION

Members of the public are advised that any questions related to this policy may be addressed to:

Social Housing Manager  
District of Timiskaming Social Services Administration Board  
PO BOX 310  
29 Duncan Avenue North  
Kirkland Lake ON P2N 3H7  
[www.dtssab.com](http://www.dtssab.com)

Phone: 705-567-9366 ext. 3243

Email: [blackk@dtssab.com](mailto:blackk@dtssab.com)



**DISTRICT OF TIMISKAMING SOCIAL SERVICES  
ADMINISTRATION BOARD**

**SOCIAL HOUSING PROGRAM  
POLICY MANUAL**

<b>POLICY #:</b>	<b>SH-RR-01-08</b>
------------------	--------------------

**SCHEDULE "A"**

DTSSAB Multi-Unit Dwellings covered under the Smoking Policy

Kirkland Lake

**25 Tweedsmuir Avenue  
25A Tweedsmuir Avenue  
42 Churchill Drive**

Englehart

**69 Sixth Avenue  
45 Tenth Avenue  
108 Fifth Avenue  
30 Ninth Avenue**

Earlton

**37 Tenth Street  
37 Tenth Street West  
45 Tenth Street**

Elk Lake

**20 Lake Street**

Larder Lake

**99 Thompson Boulevard**

Temiskaming Shores

**100 Market Street  
154 Market Street  
480 Broadway Street  
370 Broadway Street  
390 Lakeview**

Cobalt

**26 Ferland Avenue  
29 Miller Avenue**



**DISTRICT OF TIMISKAMING SOCIAL SERVICES  
ADMINISTRATION BOARD**

**SOCIAL HOUSING PROGRAM  
POLICY MANUAL**

<b>POLICY #:</b>	<b>SH-RR-01-08</b>
------------------	--------------------

**SCHEDULE "B"**

DTSSAB Family Units included covered under the Smoking Policy

Kirkland Lake

**25 Tweedsmuir Avenue, Row-Housing**

**(23 units - #3, #5, #7, #9, #11, #15, #17, #19, #20, #21, #22, #23, #24, #26, #28, #30, #31, #32, #33, #35, #37, #39, #41)**

**Scattered Family Units**

**55/57 Harding Avenue  
59/61 Harding Avenue  
63/65 Harding Avenue  
67/69 Harding Avenue  
71/73 Harding Avenue  
75/77 Harding Avenue  
79/81 Harding Avenue  
83/85 Harding Avenue  
13/15 Day Avenue  
14/16 Queen Street  
108/110 Fifth Street  
112/114 Fifth Street  
14/18 Wilson Avenue  
76/78 Tweedsmuir Road  
23/25 Prince Street**

Earlton

**10 Seventh Street  
12 Seventh Street  
14 Seventh Street  
16 Seventh Street  
18 Seventh Street  
20 Seventh Street  
26 Seventh Street  
28 Seventh Street  
30 Seventh Street  
32 Seventh Street  
34 Seventh Street  
36 Seventh Street**

Temiskaming Shores

**552 Broadwood Avenue  
569 Taylor Street  
566/570 Bolger Road**





# DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD

## SOCIAL HOUSING PROGRAM POLICY MANUAL

<b>POLICY #:</b>	SH-RR-01-08
------------------	-------------

### SCHEDULE "C"

#### SMOKING POLICY & AGREEMENT

Schedule "C" included with the lease must be read and signed at the time of lease signing, prior to the tenant taking occupancy of the unit.

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, all forms of smoking shall be prohibited.

Smoking is prohibited inside all DTSSAB social housing multi-residential buildings or units as listed in schedule A. More specifically for multi-residential buildings only as specified in Schedule "A" smoking is also prohibited on balconies, patios and within a distance of five (5) meters away from any windows, entrances or exits to any multi-residential building of the District of Timiskaming Social Services Administration Board (DTSSAB). In addition, smoking is prohibited inside all DTSSAB social housing family unit buildings as specified in Schedule "B".

The Tenant agrees and acknowledges that the premises to be occupied by the tenant have been designated as non-smoking. The Tenant, members of tenant's household, and visitors shall not smoke anywhere in the unit rented by the tenant, and for multi-residential building as listed in Schedule A within the five (5) metre smoke-free buffer zone around the building, windows, entrances or exits for DTSSAB social housing buildings. Schedule "C", included in the lease must be read and signed at the time of lease signing, prior to tenant taking occupancy of unit.

Tenants are to promote the Smoking Policy and alert DTSSAB of violations to the Policy. Tenants shall inform tenant's guests, invitees, and visitors of the Smoking Policy. Tenants shall promptly give DTSSAB a written statement of any incident where smoke is migrating into the tenant's unit from sources outside of the tenant's unit.

The DTSSAB is not guaranteeing a smoke free environment. However, the DTSSAB and DTSSAB staff will take reasonable steps in response to smoking incidents as any other obligation under the lease. Tenant acknowledges that the DTSSAB's ability to police, monitor, or enforce compliance of this Policy is dependent in significant part on voluntary compliance by tenant and tenant's guests and other occupants of the complex.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**District of Timiskaming Social Services  
Administration Board (DTSSAB)**

29 Duncan Avenue North  
Kirkland Lake ON  
P2N 3H7

\_\_\_\_\_  
I have the authority to sign on behalf of the  
DTSSAB

Witness

Tenant

Witness

Tenant

Witness

Tenant

<b>REPLACED BY POLICY #:</b>		<b>RETIREMENT DATE:</b>	
------------------------------	--	-----------------------------	--