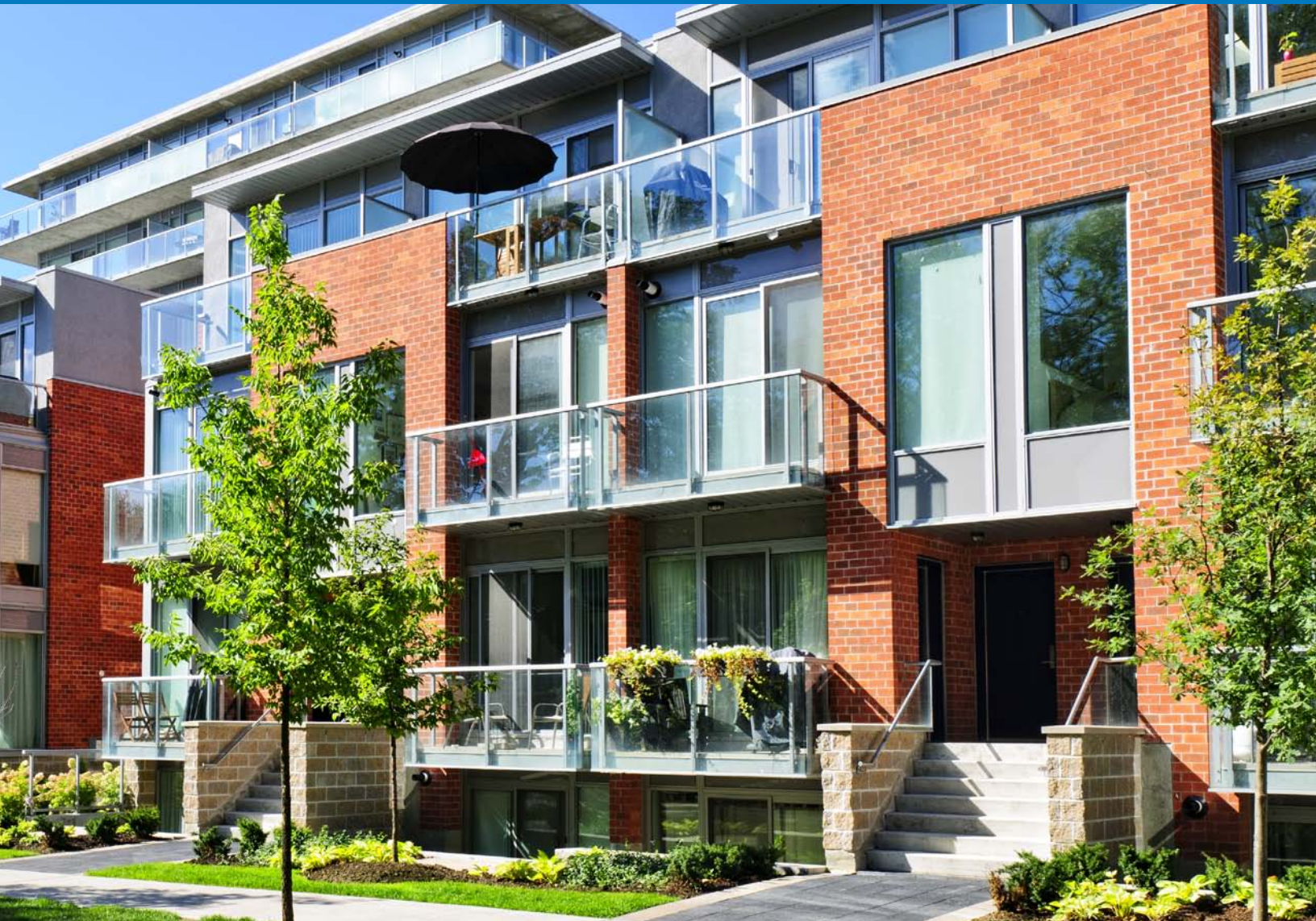




SMOKE-FREE MULTI-UNIT COOPERATIVES



Canadian
Cancer
Society

A how-to guidebook on
policy development

smokefreehousingab.ca



This is one in a collection of four guidebooks on smoke-free policy development for multi-unit housing in Alberta.

These guidebooks were created by the Canadian Cancer Society as part of its mission to eradicate cancer and enhance the quality of life of people living with cancer.

This project was made possible through the support and funding provided by Alberta Health Services' Tobacco Reduction Program community grants.



Canadian
Cancer
Society



Alberta Health
Services

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Purpose of this guidebook

This guidebook is intended as a resource for housing cooperatives and their property managers who are looking into implementing a smoke-free multi-unit housing policy. It is part of a series of four guidebooks providing smoke-free housing information, tips and tools tailored to different sectors of the multi-unit housing market.

The other guidebooks are:

- ❖ Smoke-Free Multi-Unit Rental Properties
- ❖ Smoke-Free Multi-Unit Condominiums
- ❖ Smoke-Free Multi-Unit Public, Non-Profit and Seniors' Housing

Developing a smoke-free policy for your multi-unit cooperative could save your directors, managers and many of your members money and time, and it may be easier than you think. It is legal to designate all or part of your building(s) as smoke-free, including individual units, balconies and the entire property provided clauses have not been included in your bylaws indicating otherwise.

Cooperatives are founded on a principle of independence and, as such, each cooperative has great flexibility to define its rules and bylaws. This how-to guide will provide information, tools and advice to help you plan, develop, implement and enforce a smoke-free policy that will work for all the members of your housing cooperative. However, given the autonomy of each individual co-op, it is critical to filter the advice in this guidebook through the lens of your unique bylaws.

Today, more than 80 per cent of Albertans are non-smokers and laws exist to protect Albertans from exposure to second-hand smoke in most public places and workplaces. However, many people are still involuntarily exposed to tobacco smoke inside their own homes due to the migration of second-hand smoke from neighbouring units. More than one-third of all residents of multi-unit housing in Alberta report they have experienced second-hand tobacco smoke infiltrating their unit in the last six months. As Alberta's non-smoking population grows, so too will the demand for smoke-free multi-unit housing.





You may attempt to reduce second-hand smoke migration between units through mitigation efforts such as weatherstripping around doors and windows; however, the only way to eliminate the problem completely is to develop a smoke-free policy. Remember, a smoke-free policy does not prevent smokers from smoking – it just indicates where they can smoke. A successfully implemented smoke-free policy should save you time and money, and decrease your legal liability while improving the health and quality of life of all your members.

Understanding nicotine addiction

It is important to have a basic understanding of the power of nicotine addiction before you consider developing a smoke-free policy.

A smoke-free policy is not meant to ostracize current smokers. Smoking can be a very powerful addiction. Many smokers may want to quit, but their addiction to nicotine is so strong that they are scared to try. Or maybe they have tried to quit in the past, but the withdrawal symptoms were too much to handle.

Once a smoker is addicted, the cravings can be extremely difficult to overcome. When smokers don't smoke, their body can experience a variety of withdrawal symptoms, some of which can be overwhelming.

Don't be fooled into thinking that a person who quits might just be a little cranky or moody when they can't have a cigarette. They are trying to get a very powerful drug out of their system and their entire body will want to fight this change. Try to be considerate of these challenges when engaging residents who currently smoke.

What you need to know about nicotine:

- ❖ Nicotine is the addictive ingredient in cigarettes.
- ❖ It only takes seven seconds for a 'hit' of nicotine to reach the brain.
- ❖ Nicotine reaches your brain faster than almost any other drug, which is one of the reasons why it is so addictive.
- ❖ Studies have found that nicotine is just as addictive as cocaine.

When you go smoke-free in your cooperative, there are benefits for everyone, including members, residents (both smoking and non-smoking), directors, property managers and maintenance workers.

This guide outlines effective ways to communicate with stakeholders throughout the process of policy development and implementation. As you go through the process, be sure to highlight the benefits that will influence each of your stakeholders the most.

EVERYBODY WINS





Members and residents...



...increase marketability

Albertans would rather live in smoke-free housing. 72 per cent of Albertans who currently live in multi-unit housing would choose to live in a smoke-free building.¹ A smoke-free policy can be marketed as an effective way to attract new members.



...protect your property

Smoking indoors leaves toxic residue on walls, ceilings, flooring and furniture that can be next to impossible to remove. Neglected cigarette butts can ruin property with burn marks or catch fire, severely damaging or entirely destroying property. In Alberta in 2014 and 2015, fires caused by smoking resulted in more than \$50 million in property loss.² A smoke-free policy is a smart way to protect your investment and maintain the value of your property.



...save money

Implementing a smoke-free policy will reduce cleaning and maintenance costs, and may decrease insurance costs as you decrease the fire risk in your building. Residents could also save money with a smoke-free policy by avoiding the need for costly, ineffective solutions like air purification systems if they are in a situation where they are frustrated by second hand smoke exposure.



...decrease liability

Second-hand smoke exposure is a serious and legitimate health concern. Not only are smoke-free policies legal, they uphold a housing provider's duty to protect the health and well being of their residents. Cases already exist in Canada where residents are taking property managers to court for neglecting to effectively mitigate second-hand smoke exposure in multi-unit housing. In certain circumstances, the legal precedent for such cases is growing.

 **...improve health and quality of life**

Second-hand tobacco smoke causes premature death and disease in adults and children. Those exposed to second-hand tobacco smoke for long periods of time are more likely to develop and die from heart disease, respiratory diseases and lung cancer. Every year in Canada, it is estimated that second-hand smoke causes 800 deaths in non-smokers.³ Smokers and non-smokers alike will reap the health benefits of a smoke-free policy. Air quality will improve, and residents will no longer be exposed to the toxic chemicals found in second-hand smoke.

 **...avoid deadly fires**

Fires caused by smoking indoors are statistically more fatal than any other type of household fire. In Alberta in 2014, fires caused by smoking resulted in seven deaths.² A smoke-free policy not only protects tenants' cherished possessions from the risk of fire, but may also save lives.

 **...make quitting easier**

The vast majority of current smokers want to quit. A smoke-free policy can make attempts to quit easier, especially if cooperatives or property managers choose to provide support by partnering with local public health agencies to promote cessation services and resources.

Property managers and staff...

 **...save time**

Property managers can significantly reduce the time it takes to maintain and turn over units. Also, you will spend less time mitigating complaints and working to ensure that smoke isn't seeping from one unit to another.



...eliminate ambiguity when addressing smoking issues

Conflict situations and safety issues related to smoking can be difficult for property managers to resolve in the absence of a formal policy. The implementation of a smoke-free policy can help reduce these issues and provide managers with the tools and knowledge to enforce rules in a clear and consistent way.



...enjoy a safer, healthier work environment

The vast majority of Albertans are protected by law from second-hand smoke exposure at work. Maintenance workers and other staff in residential buildings deserve the same protection. A smoke-free policy provides healthier work environments free from harmful tobacco-smoke exposure.



DOLLARS AND CENTS





How a smoke-free policy affects your bottom line

Smoke-free buildings save you money. Property managers throughout the province have provided feedback on the costs related to turning over units that have been smoked in. Their estimates are based on the costs to turn over an unfurnished, two-bedroom, 1,000 sq. ft. unit that has carpeting and laminate flooring. On average, they indicate that a unit with a lingering odor of cigarette smoke would cost in excess of **10 times** more to turn over than an average smoke-free unit.

Turnover costs depend on a number of factors, including the size of a unit, the materials used to build or furnish a unit, the intensity of indoor smoking and the length of time that smoking has occurred. In extreme cases, costs can escalate, requiring the replacement of drywall and insulation or even the replacement of sinks, tubs, ceiling fans and major appliances. This can result in months of labour and, consequently, months of forfeited rent.


tip

A smoke-free policy has the potential to prevent fires, which are not only costly, but also devastating. Landlords who implement a smoke-free policy not only reduce the risk of fire, but may also be eligible for reduced insurance premiums.

Table 1: Money spent cleaning and repairing units with cigarette-smoke damage

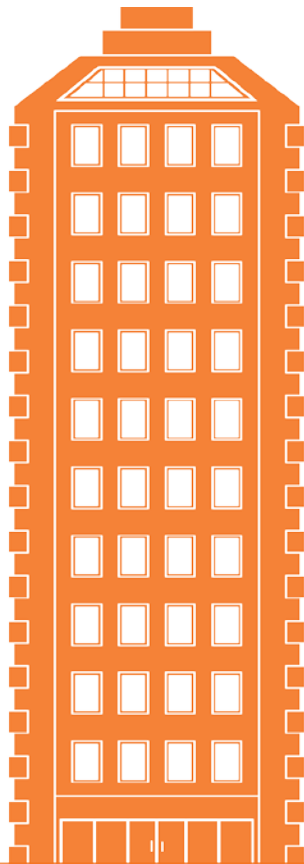
	Smoke-free	Minor smoke damage	Severe smoke damage
Floors	\$0-300	\$350-2,500	\$1,000-4,000
Walls	\$0-200	\$300-2,500	\$1,600-4,000
Ceiling	\$0	\$150-1,000	\$600-1,500
Ventilation system	\$0	\$0-250	\$200-350
Other	\$0-100	\$0-500	\$1,000-\$5,000
Total costs	\$200-300	\$1,450-5,750	\$3,250-14,850
Time spent readying the unit	Maximum one week	Up to one month	Up to three months

Feedback from four different property-management companies in four different Albertan cities, summer 2015.



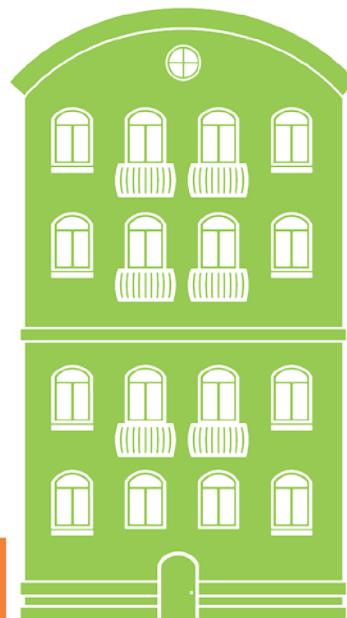
increase resale value

80% of Realtors believe that smoking in the home reduces resale value.⁴



sell more easily

Most Realtors agree that smoked-in homes are also harder to sell.^{4,5}



save more money

Smoked-in rental units can be 10 times more expensive to turn over.



avoid costly fires

In 2014 and 2015 in Alberta, fires caused by smoking resulted in more than \$50 million in property damage.²

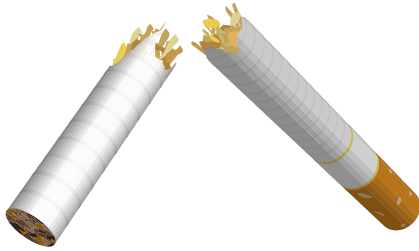




What residents in Alberta are saying...¹

72%

of Albertans would choose to live in a **smoke-free building**.



46%

of residents who self identify as **daily smokers** would rather live in a smoke-free building.

37%

of residents live in buildings that have a **smoke-free policy**.





31%

of residents are **extremely concerned** about present or potential future exposure to **second-hand cannabis smoke** in their homes.

37%

of residents reported being **exposed to second-hand smoke** entering their home from a neighbouring unit in the last six months.



What Alberta home buyers and renters want

Seven out of 10 Albertans who currently live in multi-unit housing would choose to live in a smoke-free building.¹ That is a significant majority of your potential market.

Alberta's young-adult residents report the strongest desire for smoke-free housing. 18 to 34 year olds desire smoke-free housing because they have grown up in a society where exposure to second-hand tobacco smoke is not a social norm. Many don't remember a time when being exposed to smoke in restaurants and bars was common. Fewer and fewer of them are choosing to start smoking to begin with.

As tobacco legislation continues to shape our social reality, and the dangers of smoking become better known, demand for smoke-free housing is only going to continue to increase. This is especially true in the context of cannabis legalization. Over half of Albertans living in multi-unit housing are at least somewhat concerned about current or future exposure to second-hand tobacco or cannabis smoke in their homes. However, while demand is high, the availability of smoke-free multi-unit housing in Alberta is limited.

It is also important to understand that there are many Alberta home buyers who smoke, but they don't necessarily smoke in their homes. Many make a deliberate decision to keep their property smoke-free in order to protect either their belongings or their loved ones. You may be surprised how many would choose to live in a smoke-free home when presented with the option.

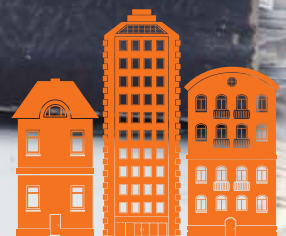
A smoke-free policy is not a no-smoker policy and should never be portrayed as such. In the section **Getting it Done: A Step-by-Step Policy-Development Guide**, you will find information about the best ways to communicate with smoking members throughout the process of making your community smoke-free.



Uncertainty about the legality of a smoke-free policy is a common concern for many cooperatives when first considering going smoke-free. Federal, provincial and municipal lawmakers all have legislative control over housing and smoking issues, making the legal landscape broad and understandably daunting.

What is clear, in all relevant legislation at every level of governance, is that a cooperative has the legal ability to prohibit smoking anywhere on its property, provided nothing has been added to its bylaws indicating otherwise.

THE LAW AND SMOKE-FREE HOUSING





Common legal questions

1. Is a smoke-free policy legal?

Yes. It is perfectly legal for cooperatives to make their buildings smoke-free. Nothing in the Cooperatives Act prevents a cooperative from prohibiting smoking as part of its bylaws. In fact, housing cooperatives have power to develop and enact broad bylaws. The exact procedure for amending bylaws may vary from cooperative to cooperative because individual cooperatives have the authority to create amending rules. The first step for any co-op member interested in proposing a new bylaw is to check for any amending process written into their cooperative bylaws.

2. Are there any existing smoke-free laws in Alberta that would already apply to cooperatives?

Yes. The Alberta Tobacco and Smoking Reduction Act prohibits smoking in any structure or other enclosed common area of a multi-unit residential facility to which members of the public have access. This includes common patios, pools, other recreation areas, and enclosed parking garages.

The Act also prohibits smoking within five metres of a doorway, air intake or window that can be opened. Some municipalities have established larger smoke-free buffer zones around windows and doorways, and also include buffer zones around public parks and trails.

It is the responsibility of the cooperative to enforce provincial tobacco laws affecting its property. When implementing a smoke-free policy, be sure that any designated smoking areas do not infringe upon spaces designated as smoke-free under provincial or municipal law.

3. If smoking is legal, how can cooperatives ban smoking in private residences?

A cooperative has the ability to develop bylaws that protect the health and safety of residents, and protect their property, as long as the policy does not conflict with federal or provincial laws. Adopting a smoke-free policy is similar to adopting other policies, such as a no-pets or no-barbecues policy.

4. Is smoking a disability that cooperatives with a smoke-free policy would have to accommodate under the Canadian Charter of Rights and Freedoms or the Alberta Human Rights Act?

This issue has been considered numerous times throughout the years, and Canadian courts have consistently ruled – with one exception – that addiction to nicotine is **not** a disability. The one exception was a British Columbia labour-arbitration decision in an employment context. Cominco had banned smoking on the plant site, and while the labour-arbitration board found that heavily addicted smokers were disabled, it also recognized that the employer’s smoke-free policy was reasonable and adopted to protect staff from a known hazard. The matter was referred back to the parties to resolve how to accommodate the heavily addicted smokers. Cominco’s smoking ban remains in effect today.

In a residential situation, even if people who smoke were found to be a protected group on the basis of their addiction, they would be under a duty to co-operate with alternative solutions for their addiction that do not expose neighbours and bystanders to harmful second-hand smoke. This could include smoking outside or obtaining nicotine through alternative means that do not emit second-hand smoke, such as nicotine gum, nicotine lozenges or nicotine inhalers.

There is no legal precedent to repeal a smoke-free policy to accommodate a resident with a nicotine addiction.

5. Do people with a medical prescription for cannabis use have the right to smoke in their units?

Having an illness that allows for a cannabis prescription does not permit residents to obstruct a smoke free policy or to regularly expose other residents to secondhand smoke. That said, housing providers should acknowledge the illness and seek a solution to accommodate such residents without conceding existing policies or the health of other residents. This is important because it is the compassionate thing to do, and because their illness could be seen as a disability which must be reasonably accommodated under human rights legislation.



Possible actions towards accommodation include:

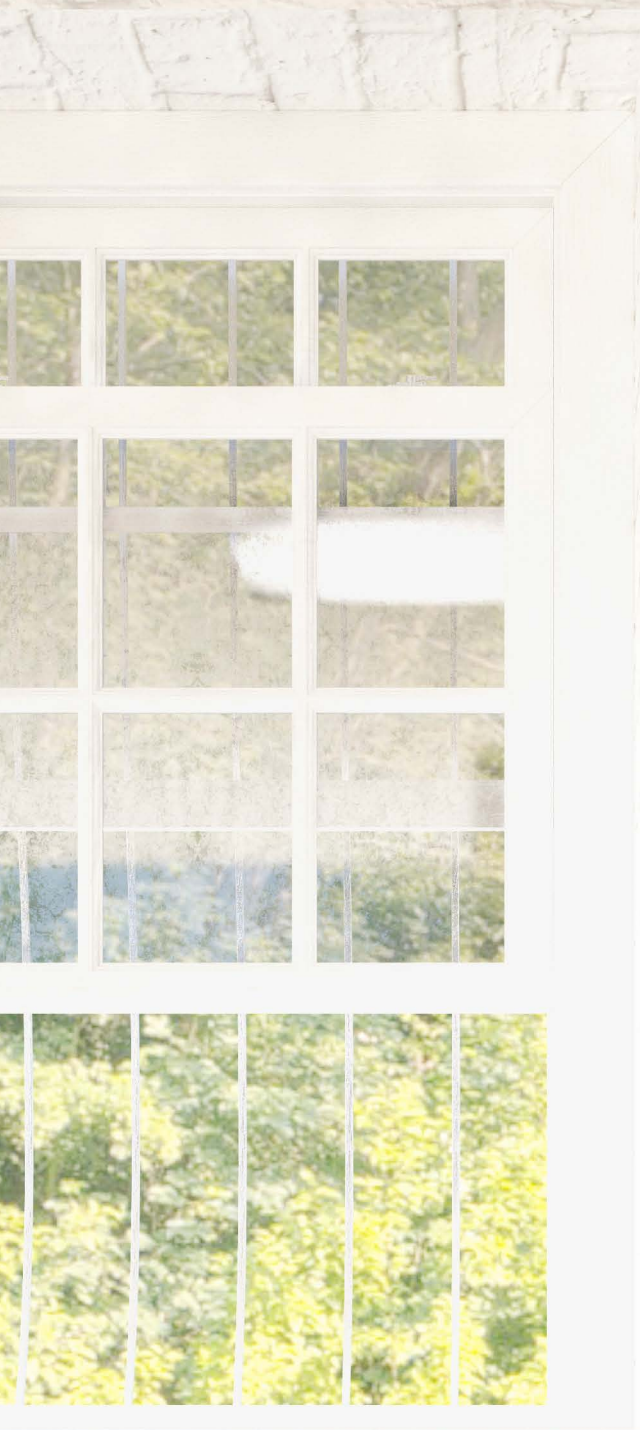
- ❖ Requesting the resident try smoke-free forms of cannabis use if using indoors. The resident may find equal relief from using cannabis in other forms (such as vaping, edibles, tinctures, beverages, oils, and pills.) which do not emit smoke.
- ❖ Ensuring there aren't any avoidable barriers preventing the resident from smoking outdoors.
- ❖ If available, offering to move the resident to another suite with easier access to outdoor spaces where they can smoke.

Accommodation should take into consideration advice from the prescribing physician.

6. What would the penalties be for non-compliance with a smoke-free policy?

Enforcement of a smoking prohibition in a housing cooperative would generally take the form of terminating the membership of those who persistently smoke or permit smoking where it has been prohibited. The two different types of housing cooperatives (continuing-housing cooperatives and home-ownership cooperatives) each have slightly different rules for terminating a membership, but both require repeated offences, a vote on the termination, a notice period for the member in question and a three-quarter supermajority of the votes cast.

The bylaws of the housing cooperative may modify or add steps to procedures for terminating a membership, and all are required to develop dispute settling procedures that would include a mediation process. In every case it would be important to consult the cooperative bylaws.



Isn't smoke mitigation enough?

Air filters, purifiers and ventilation systems cannot eliminate second-hand smoke. They may remove some of the smoke and larger particles from the air, but they will not remove the smaller particles or gases found in second-hand smoke.

The American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE), the world's leading association of heating and air conditioning engineers whose indoor air-quality standards are followed internationally, indicates that there is no acceptable ventilation system that can protect individuals exposed to second-hand smoke.

In 2005, James Repace, an internationally recognized second-hand smoke physicist, conducted a review for ASHRAE on controlling tobacco smoke. He concluded that "ventilation technology cannot possibly achieve acceptable indoor air quality in the presence of smoking, leaving smoking bans as the only alternative."



FOR DEVELOPERS



Start early

The fastest and easiest way to implement a smoke-free policy is to start at the beginning, when a building is first developed or repurposed for use as a housing cooperative. It is most feasible to plan from the onset to keep the building smoke-free and target a robust market of members seeking smoke-free housing.

Since your members will have sought out your smoke-free units, or at the very least will have knowingly agreed to the bylaws, enforcement should be straightforward. The easiest policy to enforce, and the most attractive policy for members seeking smoke-free housing, is one that encompasses the entire property including individual units, patios, balconies and all property grounds, with the exception of a designated outdoor smoking space.


For more details on how to draft, implement and enforce your policy, see our step-by-step guide in the following section. As a developer of a cooperative, you won't have current members to consult or consider in your policy development, you may still have partners or other stakeholders who would be beneficial to engage. They will be much more likely to have buy-in and be supportive with enforcement if you have included them in the process.



tip

Promote your smoke-free policy

- List the smoke-free policy as a feature of your building in all marketing
- Register your smoke-free building in our directory at smokefreehousingab.ca
- Post smoke-free signage at all entryways and on the doors to each unit



This step-by-step portion of the guidebook is meant to make the actual work of developing and implementing a smoke-free policy as easy as possible.

Be sure to read through all the steps before starting.

GETTING IT DONE

A STEP-BY-STEP POLICY DEVELOPMENT GUIDE





Step 1: Assessing your situation

It is difficult to make the proper decisions without good data. The purpose of this step is to gather data so you can make informed decisions regarding smoke-free policy development. Properly assessing your situation, by determining the extent of the problem and determining factors that may help or hinder your smoke-free policy implementation, will help you come to a solution. First, you will need to determine that there is concern regarding second-hand smoke migration and involuntary exposure within your building. Then, you will need to understand what residents think about their building becoming smoke-free and their readiness to accept policy change. This will help you in developing both a policy and implementation plan that will be supported by and meet the needs of most residents.

Any member of a housing cooperative can propose a new bylaw as a resolution at a members' meeting unless the current bylaws stipulate otherwise. Each cooperative has the right to define its own bylaw amendment process, but the default (and likely the simplest) process requires a majority of members to vote in favour of a bylaw. Thus, it is a good idea to lay the groundwork and know you have support before putting this issue in front of the general membership.

Building support over time may result in the best outcome. This may require data collection through a survey or multiple one-on-one conversations. Be sure to read step two, on engagement, before planning any data collection that involves reaching out to residents or other stakeholders.

A great first step is to read through this guidebook and educate yourself on the benefits and incentives of a smoke-free building. Understand the legal implications as well. More resources are available on our website at smokefreehousingab.ca.

Data collection

How are you currently tracking and managing complaints about second-hand smoke exposure? What does that data tell you? If you don't have a good understanding of the extent of the issue or of the opinions of members, it might be worthwhile to conduct a survey to gather more insight. Surveys can serve the dual purpose of alerting members to a potential special



tip

Sending out a survey will likely evoke a reaction from those who would be strongly supportive of or opposed to any type of smoking restriction. Anticipate reactions and be prepared with your response. You may want to let them know that you value their input and provide some information on your rationale for looking into the issue.

Encourage greater participation in your survey by offering an incentive such as a draw for a prize for all those who participate.

resolution while demonstrating respect for their input at an early stage in the decision-making process.

Information to collect in a co-op resident survey:

- ❖ Where smoking is currently taking place on the property
- ❖ How often residents are involuntarily exposed to second-hand smoke
- ❖ Where involuntary second-hand smoke exposure seems to be coming from
- ❖ The level of member support for a smoke-free policy
- ❖ Which type of policy residents would support (e.g., including individual units, balconies or all grounds with a designated smoking area)

During this assessment phase, book a meeting with your insurance company. Find out if they would offer you any discount on your property insurance if you implemented a smoke-free policy. Estimate how much money you would save in the long term both on insurance and on turnover costs by going smoke-free. Consider how you will communicate any potential cost savings as incentives for current owners to support the bylaw.




tool

A sample resident survey can be found in Appendix L.

Step 2: Engaging members and other relevant stakeholders

Ask, involve and engage the people who will be affected by a smoke-free policy.

Stakeholder engagement is the process by which an organization involves people who may be affected by the decisions it makes or who can influence the implementation of its decisions. Involving your stakeholders is extremely important to achieving a smoke-free policy in your building. When people are informed and give suggestions about a smoke-free policy, they are more likely to understand, accept, support and comply with it. Your stakeholders are any individuals who are affected by or who can affect the smoke-free policy.



tip

Stakeholder engagement is about talking with and listening to the people who would be affected by a smoke-free policy in your facility. Going smoke-free will be much easier when people feel included. This is especially true when going smoke-free may be contentious.

Stakeholder engagement in new or re-purposed buildings

When you are building or implementing a new housing cooperative, you likely won't have current residents or members to consult or consider in your policy development. However, you may still have other stakeholders who would be beneficial to engage.

These may include property managers and service personnel and companies. You may have the opportunity to engage pre-construction members depending on your implementation approach. These stakeholders will be much more likely to give buy-in and be supportive with enforcement and compliance if you have included them in the process.

Use the stakeholder engagement process to help identify, inform and engage stakeholders.



Stakeholders include members (residents), board members, property managers, staff, visitors, and service personnel and companies.

Stakeholder engagement planning process

1. Identify stakeholders

Know who your stakeholders are. Think about anyone who may be affected by, influence or make decisions about, a smoke-free policy. Develop a list and divide it into primary and secondary stakeholders.

- ❖ Some of your stakeholders will be more directly affected by a smoke-free policy, and therefore you need to identify and engage with them.
- ❖ **Primary stakeholders** are the individuals living in the co-op (members, residents) and the individuals responsible for property, service and financial decisions about the buildings (cooperative board members, property managers).
- ❖ **Secondary stakeholders**, such as service personnel and visitors, are not directly affected by a smoke-free policy except when visiting the co-op. They do not need to be directly consulted as they will be informed about the smoke-free policy by the primary stakeholders.

2. Analyze stakeholders

Know what your stakeholders think about a smoke-free policy. Following suggestions in **Step 1: Assessing your situation**, find out what your stakeholders currently experience in terms of smoking in the co-op and what they think about going smoke-free. Use methods such as surveys and meetings to gather and analyze information. A sample of a resident survey is included in the appendices.

If you wish to hold a meeting with your stakeholders to discuss a smoke-free policy and find out their opinions, a sample invitation and agenda for a meeting are provided in the appendices. Also, look on our website, smokefreehousingab.ca.



tip

During a **stakeholder analysis**, identify and be prepared to address common misunderstandings. A smoke-free policy is not a no-smoker policy. A smoke-free policy doesn't disqualify people who smoke from being cooperative members; it simply states where smoking is and is not allowed. If this is not well understood, be sure to include clear messaging when communicating.



3. Communicate with stakeholders


Keeping stakeholders informed throughout the smoke-free policy-development process is one of the most important aspects of proper engagement.

At the beginning of the smoke-free policy-development process, tell your stakeholders what you are going to do, and how and when you are going to do it. During the engagement stages, regularly communicate information and indicate ways for stakeholders to participate. When you make a decision about a smoke-free policy, clearly communicate it and explain why you made it. During implementation of the smoke-free policy, continue to communicate progress, successes and concerns, as well as how they are being addressed.

4. Engage stakeholders

Many ways exist to engage your stakeholders. The following Continuum of Stakeholder Engagement will help you decide upon and carry out an engagement plan of action. When using the Continuum to guide engagement of your stakeholders, know that:

- ❖ the stages you use depend on your situation, particularly your stakeholders' knowledge about and willingness to adopt a smoke-free policy.
- ❖ **Inform** is a necessary stage for each situation. Share factual information to start the engagement process and continue to do so throughout.
- ❖ communicate with stakeholders throughout the entire process and at all stages.

 **tool**

.....

A comprehensive description of the Continuum of Stakeholder Engagement is provided in Appendix B, including:

- purpose of each stage
- promise to the stakeholders in each stage
- examples of techniques for each stage



“

We have had a no-smoking policy in all the units we manage for the past two years. All our landlords appreciate this clause in their leases and that we as their managers enforce it. They also appreciate the clear, unbiased position this policy has set. It is not only the health hazard, but also the negative odor associated with smoking that many of our clients want to avoid, particularly the landlords as smoked-in units typically need to have carpets deodorized and walls painted to eliminate the effects of smoking.

We have had no negative outcomes, and our policy has **not** affected our ability to rent units. In fact, all tenants who do smoke respect the request and only smoke outside. They are also required to maintain a safe cigarette-butt container and keep the exterior grounds clean. The end result is that we have cleaner and better-maintained rental units because of this policy and its acceptance in the market.”

~Don Walker CCIM ALC, Broker, Kayvee Real Estate & Property Management Inc., Medicine Hat, 2016



Continuum of Stakeholder Engagement⁶



Communicate throughout the process and in every phase.



INFORM

- ❖ Factual and easy-to-understand information is the most important aspect of each phase. Start with the **Inform** stage and communicate information throughout the process.
- ❖ Use clear, concise and factual information in all your engagement methods.
- ❖ Clear up misunderstandings from the onset. A smoke-free policy is not a no-smoker policy. The policy dictates where people can and cannot smoke, not whether or not they are permitted to smoke. Make sure all stakeholders understand the concept of a smoke-free policy before attempting to gain their support.



CONSULT

- ❖ Provide information and ideas about a smoke-free policy and ask the stakeholders what they think about it. Seek their opinions and suggestions.
- ❖ Communicate clearly about how you will use the input and suggestions from stakeholders. Tell them how you will make decisions about going smoke-free and the rationale for the decisions.



INVOLVE

- ❖ Invite input and ideas from stakeholders to help develop options and potential solutions. Involve stakeholders as early on as possible in the process. For example, they could help you identify other stakeholders and determine what information you need to communicate to them.
- ❖ In the **Involve** stage, the stakeholders are part of developing solutions – going beyond commenting on plans or solutions that you are proposing to helping you decide.
- ❖ Ultimately you will still make the decisions using some or all of the stakeholders' ideas and input.
- ❖ Establishing and working with an advisory committee of stakeholders is an excellent technique at this stage.



COLLABORATE

- ❖ The **Collaborate** stage is about partnering and sharing decisions with stakeholders, and inviting them to be involved in the decision-making process.
- ❖ Stakeholders work together with you to define the scope of the decision to be made, develop options and assess those options against agreed criteria in an attempt to arrive at consensus.
- ❖ The **Collaborate** phase is very beneficial when you think the implementation of a smoke-free policy may be highly complex or controversial, or both.
- ❖ Establishing and working with an advisory committee of stakeholders is an excellent technique at this stage.



Step 3: Drafting your smoke-free policy

Hopefully step 1 has given you a clear indication of why you want to implement a smoke-free policy and how members feel about it. As you begin developing the policy itself, you will have to decide who will be bound under the policy, where the policy will be in force, what the policy will prohibit and when it will come into effect.



To whom will your smoke-free policy apply?

Some smoke-free policies apply to all new and existing residents, whereas others exempt (or grandfather in) existing smoking residents. While incorporating an exemption clause into your smoke-free policy may be the least confrontational approach, it's not always the easiest approach to implement. Exemption clauses create a lengthy limbo period when new residents are subject to the policy while still not reaping the benefits of a smoke-free environment (because exempted residents are still exposing them to second-hand smoke). This can make it harder to attract new members who are seeking smoke-free housing. Property managers, other staff, and/or board members will still have to spend time and money addressing complaints of second-hand smoke exposure.

If you know there are members or other residents currently smoking in areas that you would like to make smoke-free, you may want to negotiate an agreeable situation with them to come up with the best possible policy that a majority of members buy into.

While smoke-free policies are legal, property managers have a duty (under Human Rights Law) to accommodate the disabilities and religious practices of their residents. This can be a confusing point with smoking policies particularly when it comes to the medicinal use of cannabis and the ceremonial use of tobacco by indigenous residence. The duty to accommodate does not negate the legality of a smoke-free policy, it demands that individuals are respectfully engaged. The needs of residents using medicinal cannabis or of those engaged in traditional tobacco ceremonies do not trump the needs of other residents to be free from exposure to harmful secondhand smoke. The key to accommodation is compassion, good communication, and creative thinking about how to meet everyone's needs.



Ceremonial use of tobacco and smoke-free housing policies

The ceremonial use of tobacco is not exempt from smoke-free policies in multi-unit housing unless explicitly stated. However, under human rights legislation all Albertans are under a duty to accommodate the religious beliefs and practices of others. The duty to accommodate goes both ways, as such any resident(s) using tobacco for ceremonial purposes should ensure they are not causing other residents undo harm. Tips for supporting ceremonial use of tobacco include:

1. Engaging the resident(s) to understand their ceremonial use of tobacco.
2. Learning the duration and frequency of intended ceremonial tobacco use.
3. Finding ways to accommodate ceremonial tobacco use that does not expose other residents to secondhand smoke exposure. For example, if possible recommend outdoor use and remove any barriers that might inhibit the ceremony from taking place outdoors.
4. If the ceremonial use of tobacco is to be used indoors, establish a communication system to inform other residents about the ceremonial use of tobacco in order to avoid complaints and bridge any religious or cultural misunderstandings.

Indigenous people have been using traditional or sacred tobacco for thousands of years. Traditional or sacred tobacco differs from commercial tobacco in that it is used in a variety of ways including ceremonial or sacred rituals for healing and purifying and in social customs where it is given or exchanged as a sign of respect. Traditional or sacred tobacco is grown and dried without additives. For more information on traditional tobacco please visit tobacowise.com.



Allowances for the use of combustible products indoors should not be a default solution. Discuss specific situations with a lawyer if you have concerns about your ability to accommodate someone's disability or religious practice while developing or upholding a smoke-free policy.

Things to consider when engaging residents who currently smoke

- ❖ Do you know for certain that members who currently smoke would oppose a smoke-free policy?
 - ❖ Some smokers welcome smoke-free policies either because they already choose to only smoke outside or they see it as an incentive to cut back on smoking and improve their quality of life. Don't assume they will fight a policy without having a conversation about it.
- ❖ Could you agree on a designated outdoor smoking area? How could you make that space more comfortable or easier for users to access?
- ❖ Could you agree on a phased-in approach, such as an exemption period that lasts one or two years?
- ❖ Could you partner with local public health agencies to provide services and support to residents who are trying to quit smoking?

Regardless of the decision on exemptions, a smoke-free policy should always apply to members, caretakers, staff and service personnel working in the smoke-free building. Visitors and guests would also be expected to comply. The policy should indicate that members and residents are responsible for advising their visitors and guests about where they can and cannot smoke.

In a situation where a resident's addiction to nicotine has been deemed to be a disability, a cooperative would be obligated to make reasonable accommodation for them. Any accommodation, however, would be at the discretion of the cooperative given that each such situation is unique. Accommodation does not mean exemption and should not result in a situation where the resident is permitted to continually expose other residents to second-hand smoke.

Where will your smoke-free policy apply?

A smoke-free policy can apply to a number of different spaces on a multi-unit housing property, including inside individual units, on patios, balconies and in outdoor recreational spaces. Some smoke-free policies designate one or two specific outdoor spaces where smoking is allowed, or they may require people to leave property grounds altogether before lighting up.

When determining which areas will be included in your smoke-free policy, consider the size of your property and the way it is used. If you have logged resident complaints about second-hand smoke exposure, consider the spaces that would need to be addressed in order to mitigate those issues. If at all possible, keep designated smoking areas away from recreational spaces that are meant for all residents to enjoy.

It is also important when developing a smoke-free policy to ensure it aligns with the requirements of current tobacco-control legislation. The Alberta Tobacco and Smoking Reduction Act prohibits smoking in any structure or other enclosed common area of a multi-unit residential facility to which members of the public have access, including common patios, pools, other recreation areas and enclosed parking garages. The Act also prohibits smoking within five meters of a doorway, air intake or window that can be opened. Designated smoking areas should not infringe upon spaces designated as smoke-free by law.

What will be regulated as part of your smoke-free policy?

Carefully consider and include a clear definition of what will be regulated in your smoke-free policy. Some housing providers have expressed serious issues arising from residents using a range of smoking products, including herbal cigarettes, cannabis, pipes and waterpipes. Unclear definitions may not fully cover the scope of products causing concern.

The comprehensive definition provided here should cover any loopholes or unforeseen issues of second-hand smoke exposure. This definition would not prohibit the use of electronic cigarettes as they do not involve burning or the emission of smoke. If you want your smoke-free policy to have a different scope, you may want to have a lawyer draft a definition that will suit your needs.



tip

If designated smoking areas are included in your smoke-free policy, have signage indicating that the area is a smoking area and have a clearly marked ashtray to safely dispose of butts in order to discourage litter and avoid fires. Conversely, remove any ashtrays currently located in spaces where smoking is banned to minimize confusion.



tool

Sample definition: 'Smoke' or 'Smoking' means to inhale, exhale, burn, or have control over a lighted cigarette, cigar, pipe, hookah pipe, or other lighted smoking implement designed to burn tobacco or any other weed or substance for the purpose of inhaling or tasting of its emissions.

Cannabis and electronic cigarettes

Exposure to cannabis smoke can be a hot-button issue in multi-unit housing.

Regardless of whether cannabis is being smoked legally or illegally, the second-hand smoke emitted is still a health hazard and consideration for other residents is still important. A medical prescription to use cannabis does not give a person the right to smoke anywhere they choose. The user must abide by the rules of a smoke-free policy. By developing a smoke-free policy that is inclusive of products like cannabis, housing providers can eliminate any confusion on this issue.

Electronic Smoking Devices (ESDs; e.g., e-cigarettes or vaporizers) are relatively new products in Canada. Currently, there is limited data on the health effects of their emissions, especially in the case of second-hand exposure. What is emitted from an ESD is not smoke and is currently understood to be significantly less harmful than tobacco smoke.

If a housing provider wants to ban the use of ESDs on their property, they should consult with a lawyer to draft an effective policy and definition. Some ESDs may gain approval by Health Canada as regulated smoking-cessation devices in the future. Consider exempting any products that are government approved and regulated for use as cessation tools. You may also want to consider exempting the use of ESD for other medical conditions such as a medical prescription to vape cannabis. This would be a decent way to accommodate individuals with serious illnesses without exposing other residents to secondhand smoke. For more information on electronic smoking devices, please feel free to contact the Canadian Cancer Society or another health authority.



When will your smoke-free policy take effect?

Timing is critical to the successful implementation of a smoke-free policy. Start engaging members and residents early in the process of developing your policy and give them ample time to adjust before your policy comes into effect. You may choose to implement your policy in phases, starting with individual units and progressively incorporating outdoor spaces. Whatever your plan, be sure to clearly communicate your timelines with all stakeholders who will be affected.

Step 4: Implementing your smoke-free policy

Once your policy has been drafted, you may want to have it reviewed by legal counsel (if appropriate). Decide on the best time to address a resolution for a smoke-free bylaw, whether it be at an annual or special general meeting. Follow all necessary procedures to call the meeting and send out a copy of the smoke-free policy to members in advance of the meeting. Be prepared to discuss anticipated challenges and arguments against the policy.

If and when the resolution is passed and confirmed by the members, the cooperative must file the bylaw with the director within 60 days of the date the bylaw or amendment comes into force.

If your policy will be implemented in phases, make sure you clearly communicate the timelines and ultimate scope of the policy to current and prospective members. If your policy includes an exemption clause, inform prospective members that:

1. there are residents who have been exempted from the policy and are permitted to smoke in the building, and you can't guarantee a 100 per cent smoke-free environment until the transition is complete. Be sure to explain why an exemption of certain residents was chosen.
2. while smoking is permitted in exempted units, complaints of second-hand smoke will still be addressed if it is found that a significant amount of smoke is infiltrating other units.



Choosing an implementation date in the spring or summer gives residents some time to adjust to smoking outside while the weather is favourable.



Consider presenting the smoke-free bylaw by separate resolution. Given that a smoke-free bylaw can be a controversial provision, you would not want to jeopardize an entire bylaw amendment package because of this provision.



A sample letter that notifies residents about the new policy can be found in Appendix K.



Support for smokers

Demonstrating support for residents who smoke can build a considerable amount of goodwill when implementing a smoke-free policy. While the purpose of going smoke-free is primarily to protect property and residents, there may be people who would like information about quitting, or who will want to cut back on the amount they smoke in order to make compliance with the policy easier.

There may be an opportunity to partner with a local public health organization to provide cessation resources and services. Contact Alberta Health Services to find out about cessation resources in your community and then post information in common areas. Let all your residents know that there is support available to help them quit or cut back if any of them are interested.

Visit albertaquits.ca for links to cessation tools and resources.

Signs

Develop and post signs about your smoke-free policy. Signage will serve as a reminder for members and indicate to visitors that the building and/or area is smoke-free. Signs should be posted at all public entrances to smoke-free buildings, and can also be posted at elevators, on unit doors, in common areas and throughout the grounds to clearly indicate where smoking is and isn't allowed.

Step 5: Enforcing your smoke-free policy

Steps taken to engage stakeholders and communicate your smoke-free policy will go a long way in facilitating policy enforcement and compliance. In all likelihood, your members will be the biggest advocates of your policy and will readily let you know when someone is not following the rules. Most people comply with smoke-free policies when they are clearly and effectively communicated. Still, you should be prepared and know ahead of time how you will respond to any problems.



tip

Spread the word about your smoke-free policy anywhere you currently list information about your properties.

Update:

- your application form
- your website
- your portfolio in third party directories
- other marketing and advertising materials



tool

Sample signs are available in Appendix P.

Your enforcement plan will likely depend on your residents and their behaviour, the extent of second-hand smoke exposure to other residents and the sanctions that you have written into your bylaws.

If there is evidence that a violation has occurred, follow the procedures as defined in your bylaws for addressing disputes. Whether or not it is stipulated in your bylaws, you may want to engage the member in question with a warning and information letter. Be sure to document the process and get confirmation in writing that the letter was received. If an agreement is reached, it can be helpful to put it in writing for future reference. Have the resident sign a copy of the dated letter from the board or property management corporation, confirming the discussion and the resident's agreement to abide by the smoke-free policy.

If the smoking continues, and mediation processes do not remedy the situation, the Cooperatives Act provides the option of terminating a membership. Again, the process involved in terminating a membership will differ with each cooperative. The default procedures even differ slightly between continuing-housing cooperatives and home-ownership housing cooperatives. Consult your bylaws carefully before seeking termination as a final option.

Issues while transitioning to smoke-free status

If your cooperative is converting to smoke-free status either through a phased-in approach or due to exempted residents, it will continue to be important to address complaints of second-hand smoke migrating in smoke-free units from spaces where smoking is still allowed. If applicable, clarify with staff that while exempted or phased-in residents may be allowed to smoke in their units, complaints of second-hand smoke must still be addressed and documented.



tip

Don't send mixed messages. Remove ashtrays except those in designated smoking areas.



tool

See Appendices M and N for a sample complaint log and caution notice.

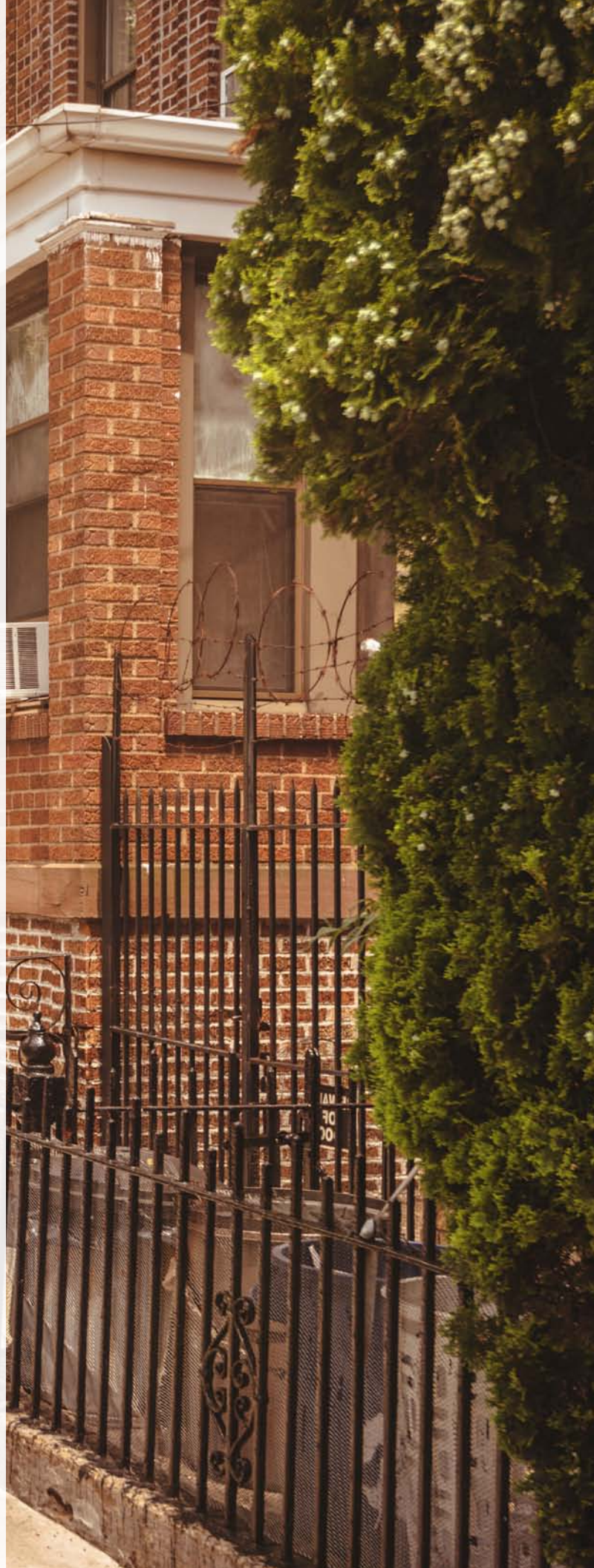
Our collective efforts will ensure Albertans are further protected from the dangers of second-hand tobacco smoke.

Our provincial and municipal governments have made tremendous strides in protecting Albertans from the dangers of second-hand tobacco smoke.

As a multi-unit housing stakeholder, you can also play an important role in ensuring that Albertans have access to safe air in their homes while at the same time protecting property and improving the quality of life for all residents.

The trend for smoke-free multi-unit housing in Alberta will very likely increase, as it has in other markets.

By providing the best practices in this document, we hope to ensure multi-unit housing providers feel confident in successfully implementing a smoke-free policy.



References

- ¹ Leger Group. Smoke-free Multi-Unit Housing Public Opinion Surveys. Commissioned by the Canadian Cancer Society, Alberta/NWT Division. 2018. Data were collected between September 16 and October 1, 2015 and between March 15th and March 23rd, 2018. Each included 1,000 Albertans age 18+ living in multi-unit housing. As a non-random Internet surveys, a margin of error is not reported. Had these data been collected using a probability sample, the margin of error would be ± 3.1 percentage points, 19 times out of 20. The data are weighted by age, gender and region to be representative of the population of Albertans living in multi-unit housing based on the most recent estimates available from Statistics Canada.
- ² Office of the Fire Commissioner, 2015. Fire Commissioners Annual Statistical Report 2013-14 ([http://www.ofc.alberta.ca/documents/2013-2014_Annual_Report_Data_Amended_\(2\).pdf](http://www.ofc.alberta.ca/documents/2013-2014_Annual_Report_Data_Amended_(2).pdf)). Accessed February 2016.
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- ⁵ The Lung Association. Leger group (2015) independent survey of 200 Realtors® in British Columbia. (<http://blog.lung.ca/2015/05/smoking-in-the-home-can-lower-resale-value-and-make-it-more-difficult-to-sell/>) Accessed February 2016. In Ontario, 85 per cent of Realtors agreed and in BC 77 per cent of Realtors agreed.
- ⁶ Adapted from IAP2 Public Participation Spectrum; International Association for Public Participation Federation (IAP2) <http://www.iap2.org/>.



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Appendix A: Sample smoke-free bylaw for cooperatives

SMOKE-FREE BYLAW

1. All forms of smoking are prohibited on the property, including:
 - a. inside all housing units;
 - b. on the interior common property, including, but not limited to, in hallways, elevators, parking garages, electrical and mechanical rooms, stairs, and storage locker areas;
 - c. on patios and balconies; and
 - d. within 8 metres (26 feet) of a door, window or air intake.
2. "Smoking" for the purposes of this bylaw means to inhale, exhale, burn, or have control over a lighted cigarette, cigar, pipe, hookah pipe, or other lighted smoking implement designed to burn tobacco or any other weed or substance for the purpose of inhaling or tasting of its emissions.
3. "Business invitee" for the purposes of this bylaw shall include, 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.
4. **<Uniform application of policy>** This bylaw takes effect upon approval by the members of the cooperative and applies to all persons, including, but not limited to, members, tenants (if units are permitted to be rented under your bylaws; if not, all references to tenants can be removed), invitees, business invitees, occupants and visitors.
<OR exemption> This bylaw takes effect upon approval by the members of the cooperative and applies to all persons, including, but not limited to, members, invitees, business invitees, tradespersons, occupants and visitors, provided that the bylaw does not apply to any member or occupant residing in a unit in the building at the time the bylaw is approved by the members, and who continues in full-time residence in the housing unit after the bylaw takes effect **<or specify length of time of the exemption period>**.
5. **<Remove if exemption provision does not apply. Declaration, rules, bylaws and other legislation still applies>** Notwithstanding the exemption provision in section 4 above, members and occupants who qualify for the exemption from the smoke-free bylaw as described herein must still comply with all applicable legislation and are still subject to the declaration, rules and bylaws, including, but not limited to, those with respect to causing a nuisance or hazard.
6. **<Human rights and reasonable accommodation>** The cooperative shall make reasonable accommodation for a member or occupant who has proven by medical evidence that they have a physical and/or mental disability and are unable to control their addiction to nicotine. Whether the member or occupant has proven the disability will be determined in the sole and absolute discretion of the directors, acting reasonably. The accommodation will be made based on all the circumstances and may include, but is not limited to:

- a. allowing smoking in one or more designated areas of the common property (if applicable);
 - b. paying for one or more treatment programs to assist with the cessation of smoking, including, but not limited to, paying for nicotine-replacement therapy; and/or
 - c. the willingness of the member, tenant or occupant to install and maintain smoke-extraction equipment in any unit or on the common property, as recommended by the directors.
7. <Time limit for reasonable accommodation> Reasonable accommodation granted pursuant to section 6 of the policy may be for a fixed period of time at which time the member, tenant or occupant is free to re-apply to the cooperative for further reasonable accommodation to be made.
 8. <Other accommodation> In addition to accommodation made under section 6 of the policy, reasonable accommodation may be made by the cooperative if a member or occupant proves that to prohibit smoking would result in other discrimination prohibited by the Alberta Human Rights Act. The board of directors, in its sole discretion, will determine whether or not the resident has proven that the prohibition of smoking would be discriminatory pursuant to the Alberta Human Rights Act.
 9. <Traditional or cultural smoking activity> The cooperative may make reasonable accommodation in the case where a member, tenant or occupant intends to use tobacco in relation to a traditional aboriginal cultural activity, or smoking is intended to be done by a prescribed group for a prescribed purpose. In making the accommodation, the cooperative will only do so in writing and may prescribe in writing when the permission is granted for, the duration of the permission and where smoking will be permitted.



Appendix B: How to engage residents and other stakeholders

CONTINUUM OF STAKEHOLDER ENGAGEMENT¹

Stakeholders for cooperatives include members, residents, property managers, staff, visitors, and service personnel and companies.

Stage	Purpose	Promise to stakeholders	Examples of techniques
INFORM communicate information to stakeholders	To provide stakeholders with balanced and objective information to assist them in understanding a smoke-free proposal	We will keep you informed.	<ul style="list-style-type: none"> • Deliver fact sheets door to door, at meetings or via email • Display posters in common areas • Send information emails • Write and distribute newsletters • Create a website • Host information sessions (e.g.; open houses, meetings) • Use a suggestion box • Organize a volunteer networking process • Hold coffee meetings (a casual gathering of people with refreshments and informal conversation)
CONSULT seek the opinions of stakeholders	To obtain stakeholder feedback about analysis, alternatives and/or decisions regarding a smoke-free proposal	We will keep you informed, listen to and acknowledge your concerns, and provide feedback on how your input influenced the decision.	<ul style="list-style-type: none"> • Host focus groups • Conduct a survey • Host information and input sessions (e.g.; open houses, meetings) • Offer a comment section on your website • Organize a volunteer networking process • Hold coffee meetings • Form an advisory committee

¹ Adapted from IAP2 Public Participation Spectrum; International Association for Public Participation Federation (IAP2) <http://www.iap2.org/>.

Stage	Purpose	Promise to stakeholders	Examples of techniques
<p>INVOLVE</p> <p>stakeholders provide input and ideas to help develop options and solutions</p>	<p>To work directly with stakeholders throughout the process to ensure their concerns are consistently understood and considered</p>	<p>We will work with you so your concerns and issues are directly reflected in the alternatives developed and provide feedback on how your input influenced the decision.</p>	<ul style="list-style-type: none"> • Form an advisory committee • Host input sessions (e.g.; workshops, meetings) • Organize a volunteer networking process • Offer a comment section on your website • Hold coffee meetings • Public art: have residents, particularly children, draw and display images in a common area of what a smoke-free environment could look like.
<p>COLLABORATE</p> <p>stakeholders participate in decision making and actions</p>	<p>To partner with stakeholders in each aspect of the decision-making process (e.g., developing alternatives and identifying the preferred solution)</p>	<p>We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions as much as possible.</p>	<ul style="list-style-type: none"> • Form an advisory committee • Host input workshops and meetings • Conduct a practice session: invite stakeholders to participate in a session to practice being part of a smoke-free building • Organize a volunteer networking process

Remember to communicate throughout the process and in every phase.



Appendix C: Sample invitation letter for a meeting about a smoke-free bylaw

<Name>
<Address>
<Date>

RE: notice to all residents regarding at <insert building name and address>

Dear <Name>,

We, the <cooperative board and/or property managers>, invite you to an <information meeting or information and input meeting> about the idea of adopting a smoke-free bylaw for our building.

The purpose of the meeting is to:

- share information about the concerns of residents regarding second-hand smoke infiltrating their homes from neighbouring units (internal and external) and common areas such as the parking garage and hallways; and,
- gain your opinions and thoughts about the idea of adopting a smoke-free bylaw for our building.

This is **not** a decision meeting; it is a time to provide information and start to get your input. We have not made any decisions about a smoke-free bylaw and we consider this a first step to involve all residents in the discussion.

The meeting will be held on <date> from <start time> to <end time> at <location>. The agenda will be:

1. Welcome and overview of the meeting
2. Introductions by all participants
3. Information about smoke-free bylaws in multi-unit housing
4. Information about applicable Alberta legislation
5. Discussion:
 - a. What do you like about the idea of a smoke-free bylaw in our building?
 - b. What do you dislike about the idea of a smoke-free bylaw in our building?
 - c. What more information do you need?
 - d. What next steps do you suggest?

Please plan to attend and talk with your neighbours about this topic. RSVP by <date> to <contact>.

Sincerely,
(cooperative board and/or property manager)

Appendix D: Sample agenda and discussion process for an initial meeting about a smoke-free bylaw

This sample agenda and discussion process is for a 1.5 to 2-hour meeting. Adjust as you see appropriate for residents in your building. It is a good practice to ask people to give their opinions about a smoke-free policy in their building at this meeting. While it is very important to provide and explain information, residents will want the opportunity to share what they think.

Tips

- *It is very helpful if you distribute information sheets about a smoke-free bylaw door to door, or make them available in a common area, **before** the meeting.*
- *Use name tags for each person.*
- *Provide light refreshments such as water, tea, coffee, and cookies or a vegetable tray. Food is a good way to set a friendly and welcoming atmosphere.*
- *Have a volunteer record the main points from the discussion, ideally on a laptop.*

1. Welcome and overview of the meeting (estimate five minutes)

The hosts welcome everyone to the meeting. Introduce yourselves and your roles.

- Explain the purpose of the meeting. (e.g., We are starting to think about establishing a smoke-free bylaw for our building. We want to provide you with information and want your initial input about the idea. We also want your suggestions on the next steps.)
- Explain the logistics of the meeting (e.g.; the start and end time, the agenda, how questions and ideas will be recorded).

2. Introductions by all participants (estimate five minutes)

Always have each person introduce themselves. This makes the participants feel included, helps them to feel comfortable speaking and allows everyone to hear each other's name. Even if most participants appear to know each other, it is useful to have this short introduction.



Ask each person to say:

- Name
- Unit
- Years lived in the building
- One thing they like about living in the building (*this question helps everyone to start on a positive note by thinking about why they like their home*)

3. Information about smoke-free bylaws in multi-unit housing (estimate five minutes)

Explain why you called the meeting (e.g.; complaints have been received about second-hand smoke, you have been approached by a resident, damages and costs from smoking are occurring and are a concern, you are concerned about providing a safe and healthy space for all members).

Provide information about smoke-free bylaws in multi-unit housing. Use the Canadian Cancer Society-resource guide section **Everybody Wins**.

4. Information about applicable Alberta legislation (estimate five to 10 minutes)

Use the Canadian Cancer Society-resource guide section **The Law and Smoke-Free Housing**.

5. Questions and answers

Encourage participants to ask questions during the information presentations or ask them to write down their questions and answer them after the presentations.

6. Optional input discussion (estimate 30 to 45 minutes)

Occasionally, you will hold a meeting only to provide information. Therefore, you may not hold a discussion time, but rather close the meeting after the *Questions and Answers* time. If you decide to hold an information-only meeting, be sure to tell participants what the next steps are and when they will have a chance to give ideas about going smoke-free.

If you decide to also include a discussion time in your meeting, here are various ideas for discussion processes. Adjust based on the reason you called the meeting, the number of participants, the general feel in the room about smoking or non-smoking, etc.

Trio talk:

Ask participants to form trios (groups of three) and talk for five minutes about:

- What is your experience with smoking in our building? Positive aspects? Negative aspects?

Have a five to 10-minute report-back session by asking each trio (or at least half of the trios) to say in two sentences what they discussed. Record.

Have a 20-minute large-group discussion session and ask participants to give their input about each of the preceding questions. Record.

Pair-and-share talk:

Ask participants to work with one other person and talk for five to 10 minutes about:

- What do you like about the idea of a smoke-free bylaw in our building?
- What do you dislike about the idea of a smoke-free bylaw in our building?
- What other information do you need?
- What next steps do you suggest?

Have a 20-minute large-group discussion session and ask participants to give their input about each of the preceding questions. Record.

Pros-and-cons gallery-walking activity:

Put large flip-chart paper on the wall or on tables in three separate locations (stations). Provide small felt markers or pens at each station.

Name the stations:

- Pros (positive aspects) about going smoke-free in our building
- Cons (negative aspects) about going smoke-free in our building
- What else do I need to know?

Ask participants to walk from station to station for about 10 to 15 minutes and write their comments.

Then, divide participants into three groups and ask them each to go to one station, read the information and summarize it.

Have a 15-minute large-group discussion session and ask each group to tell their summary of the written information. Record.

Take the flip charts and use the information for future meetings and information and input sessions.

7. What's next and closing

- As the host, thank everyone for participating.
- Explain how you plan to use the information and what you plan to do next.
- Explain how residents will be engaged.



Appendix E: Sample agenda and discussion process for a focus group about a smoke-free bylaw

A focus group is a way to initially gather input about going smoke-free in your building. It is not to make decisions. In your recruitment of participants for the focus group, explain clearly that at this time you seek their opinions, not decisions.

Focus groups

A focus group is a meeting at which a group of people are asked about their perceptions, opinions, beliefs and attitudes towards a product, service, concept, advertisement, idea or packaging.

A focus group:

- *usually involves six to 10 people led by a host through a series of questions;*
- *is about 45 to 90 minutes long;*
- *is structured around a set of carefully predetermined questions – usually no more than four to six questions; and,*
- *allows an individual to state their opinions and ideas, to listen to the opinions and ideas of others in a small and safe group setting, and possibly change or enhance their opinions and ideas.*

ORGANIZE AND CONDUCT A FOCUS GROUP IN YOUR BUILDING

1. Choose the questions you wish to ask

Questions in a focus group typically follow a process of:

- Engagement questions:** introduce participants to, and make them comfortable with, the topic of discussion
- Exploration questions:** have participants talk about the main topic
- Exit question:** check to see if anything was missed in the discussion

Sample questions for a focus group about a smoke-free bylaw could include:

- What is your experience with smoking in our building? What are positive aspects, if any? What are negative aspects, if any?
- What do you like about the idea of a smoke-free bylaw in our building?
- What do you dislike about the idea of a smoke-free bylaw in our building?

- d. What additional information do you need in order to decide if you agree with a smoke-free bylaw in our building?
- e. What next steps do you suggest?

2. Decide about the logistics of the focus group

Think about the date, time and location. Have a recording method (e.g.; someone who types on a laptop, writes on a flip chart or uses a recording device).

3. Recruit for and invite participants to the focus group

Think about the residents and other stakeholders who could influence or be affected by a smoke-free policy. Think about the backgrounds and interests of the stakeholders. Try to recruit a mix of participants (e.g.; people who smoke, don't smoke, have lived in the building for a long time, are newcomers to the building, are different ages).

Personally talk with each person and invite them to the focus group. Explain the purpose and the process. Tell them that it will be recorded and ask their permission.

4. Conduct the focus group

Use name tags.

a. Welcome and overview

- Introduce yourself.
- Explain the purpose and process of the focus group.

b. Introductions by all participants

- Ask each person to say:
 - Name
 - Unit
 - Years lived in the building
 - One thing they like about living in the building (*this question helps everyone to start on a positive note by thinking about why they like their home*)

c. Ask the questions

- Ask the first question, then go around the table and have each person speak.
- As you ask the next questions, you can encourage participants to speak when they choose. Ensure that each person has an opportunity to talk about each question.
- Ask:
 - Who else has thoughts about this – maybe something a little different?
 - What else have people experienced in this area?
 - You've been discussing several different ideas; what haven't we heard yet?
 - We want to hear all your opinions. Who has something else to discuss?



d. Summarize the discussion

- Give a short two-to-three-minute summary of the main themes you heard.
 - Ask participants: did I correctly describe what was said?

e. Thanks and closing

- Thank everyone for participating.
- Explain how you plan to use the information and what you plan to do next.
- Explain how residents will be engaged.

Appendix F: Sample agenda and discussion process for an input workshop about a smoke-free bylaw

A workshop differs slightly from a meeting in that the purpose of the workshop is to gain ideas from the participants about going smoke-free in your building. A meeting might be used to only provide information; at a workshop, you wish to give information and gain ideas about it from the participants. Therefore, participatory conversations are always part of a workshop.

This sample agenda and discussion process is for a 2 to 2.5 hour workshop. Adjust as you see appropriate for residents in your building.

Tips

- *It is very helpful if you distribute information sheets about a smoke-free bylaw door to door, or make them available in a common area, **before** the meeting.*
- *Use name tags for each person.*
- *Provide light refreshments such as water, tea, coffee, and cookies or a vegetable tray. Food is a good way to set a friendly and welcoming atmosphere.*
- *Have a volunteer record the main points from the discussion, ideally on a laptop.*

1. Welcome and overview of the workshop (estimate five minutes)

The hosts of the workshop welcome everyone. Introduce yourselves and your roles.

- Explain the purpose of the workshop (e.g., We want to provide information about a smoke-free bylaw, which we are starting to think about, and we want your input about the idea. We also want your suggestions on next steps.).
- Explain the logistics of the workshop (e.g.; the start and end time, the agenda, how questions and ideas will be recorded).

2. Introductions by all participants (estimate five minutes)

Always have each person introduce themselves. This makes the participants feel included, helps them to feel comfortable speaking and ensures that everyone hears each other's name. Even if most participants appear to know each other, it is useful to have this short introduction.

Ask each person to say:

- Name
- Unit



- Years lived in the building
- One thing they like about living in the building (*this question helps everyone to start on a positive note by thinking about why they like their home*)

3. Information about smoke-free bylaws in multi-unit housing (estimate five minutes)

Explain why you called the meeting (e.g.; complaints have been received about second-hand smoke, you have been approached by a tenant group, damages and costs from smoking are occurring and are a concern, you are concerned about providing a safe and healthy space for all tenants).

Provide information about smoke-free bylaws in multi-unit housing. Use the Canadian Cancer Society-resource guide section **Everybody Wins**.

4. Information about applicable Alberta legislation (estimate five to 10 minutes)

Use the Canadian Cancer Society-resource guide section **The Law and Smoke-Free Housing**.

5. Questions and answers

Encourage participants to ask questions during the information presentations or ask them to write down their questions and answer them after the presentations.

6. Discussion (estimate 30 to 60 minutes)

Here are various ideas for discussion processes. Adjust based on the reason you called the meeting, the number of participants, and the general feel in the room about smoking or non-smoking, etc.

Trio talk:

Ask participants to form trios (groups of three) and talk for five minutes about:

- What is your experience with smoking in our building? Positive aspects? Negative aspects?

Have a five to 10-minute report-back session by asking each trio (or at least half of the trios) to say in two sentences what they discussed. Record.

Have a 20-minute large-group discussion session and ask participants to give their input about each of the preceding questions. Record.

Pair-and-share talk:

Ask participants to work with one other person and talk for five to 10 minutes about:

- What do you like about the idea of a smoke-free bylaw in our building?
- What do you dislike about the idea of a smoke-free bylaw in our building?
- What other information do you need?
- What next steps do you suggest?

Have a 20-minute large-group discussion session and ask participants to give their input about each of the preceding questions. Record.

Pros-and-cons gallery-walking activity:

Put large flip-chart paper on the wall or on tables in three separate locations (stations). Provide small felt markers or pens at each station.

Name the stations:

- Pros (positive aspects) about going smoke-free in our building
- Cons (negative aspects) about going smoke-free in our building
- What else do I need to know?

Ask participants to walk from station to station for about 10 to 15 minutes and write their comments.

Then, divide participants into three groups and ask them each to go to one station, read the information and summarize it.

Have a 15-minute large-group discussion session and ask each group to tell their summary of the written information. Record.

Take the flip charts and use the information for future meetings and information and input sessions.

7. What's next and closing

- As the host, thank everyone for participating.
- Explain how you plan to use the information and what you plan to do next.
- Explain how residents will be engaged.



Appendix G: Organizing coffee meetings

A coffee meeting is a casual social gathering for coffee and conversation. It is easy to organize since you are simply having coffee with a neighbour.

WHY? Talking informally about a topic over coffee or other refreshments is a natural and relaxing way for people to share information, give their opinions and make decisions. Coffee meetings are an inclusive and non-confrontational way of engaging residents and other stakeholders.

WHO? Develop a list of residents who would volunteer to host a coffee meeting. Consider board members, committees and residents who have talked with you about smoking issues. Send out an email or letter, or put up posters asking for volunteers.

WHAT? Invite the people interested in being host volunteers to an organizing coffee meeting in a common area, personal unit or outside the building (e.g., on a patio or in a gazebo). Explain the smoke-free initiative and provide written information about it to everyone. Ask them to host a coffee meeting (social time) in their unit with two to 10 neighbours.

When you have the interested volunteers, divide the residents in the site/building so they do not overlap. The concept behind a coffee meeting is that the volunteers invite people they know or feel comfortable with. Therefore, you may need to ask each volunteer to share whom they will invite rather than randomly assigning them guests by floor or wings. However, the latter approach could work if all volunteers agree.

HOW? Each volunteer invites two to 10 people to a coffee meeting in their unit, a party room or common area. Each volunteer provides coffee, tea, water and a small snack such as a cake, cookies, cheese and crackers, raw vegetables or fruit. The food items should be small and very inexpensive. If you have funds as a co-op board, or as an owner, you may wish to pay for the refreshments.

At the coffee meeting:

1. The volunteer host offers everyone refreshments.
2. The volunteer host introduces themselves and asks attendees to introduce themselves. Most will likely know each other. It is fun to have each person answer a question like, "What fun thing did you do in the last week?"

3. The volunteer host explains that they are interested in a smoke-free initiative in the site/ building and wish to provide information and get attendees' comments.
4. Discuss smoke-free bylaws and practices using the written information provided at the coffee meeting.
5. Encourage conversation about the idea. Be relaxed and let people talk in a friendly setting. Make notes if you wish.
6. Thank everyone for attending.
7. Each volunteer host gives the comments to the organizers of the smoke-free initiative.



Appendix H: Organizing a volunteer networking system

A volunteer networking system is a way of organizing people in your building so they can quickly and easily share information amongst each other. Volunteer networks can take the form of:

- a telephone phone-out system (often called a phone tree or fan-out list)
- an email contact system
- a neighbour-to-neighbour in-person system

FORM AND OPERATE A VOLUNTEER NETWORKING SYSTEM



1. Recruit about three to five main volunteers to form the foundation for the volunteer networking process. Ask each of them to talk to two to five other residents of the building and create a fan-out contact list. Adjust the numbers per person based on the size of your facility.
2. Try to ensure that each resident is part of the information networking system. You can use various approaches:
 - a. Recruit a main volunteer for each floor or wing of your property. This volunteer will then communicate information to each resident within the prescribed area, such as a floor or wing.
 - b. Divide residents into lists by alphabetical order and assign names, telephone numbers and email addresses to each main volunteer.

3. Get accurate telephone numbers and email addresses. For privacy reasons, you may need to get permission from each resident to have names and email addresses included on the list. You can organize a sign-up sheet at a meeting, in a common area of your building, by going door to door in a blitz at the start of your smoke-free campaign, etc.
4. Set up an easy structure. The main organizers such as owners, board members, or committee members can each contact two to five people by phone, email or personal visits, who in turn will contact two to five people and so on. The smaller the number of contacts each person has to make, the more likely it will happen. Adjust the numbers per person based on the size of your facility.

Only communicate important information via the volunteer networking system. Do not overuse the system.



Appendix I: Establishing and working with a stakeholder advisory committee

Establishing and receiving advice from an advisory committee could be a useful way to plan for and implement a smoke-free bylaw in your building. An advisory committee is a group of stakeholders, primarily residents, who meet to give you their knowledge, opinions and ideas.

The involvement of a stakeholder advisory committee depends on a variety of factors, including:

- size of your building and number of residents – the larger the property, the more beneficial it may be to form an advisory committee;
- your knowledge about what stakeholders think about implementing a smoke-free bylaw – the less knowledge you have about stakeholder views, the more beneficial it may be to form an advisory committee; and,
- the amount of agreement or disagreement about implementing a smoke-free bylaw – the more disagreement that exists, the more beneficial it may be to form an advisory committee.

Who to involve

An advisory committee typically works best with five to 10 members. Any more and the conversation becomes too lengthy. Assess your situation and see if you can gain a good representation of the stakeholders with no more than 10 members.

Recruit:

- a representation of all the stakeholders in the building – consider such characteristics as years living in the building, mobility, family type and size, number of visitors;
- those who agree and disagree – recruit supporters and doubters to gain better advice (doubters can identify the challenges you will face and need to address); and,
- staff – include staff whose work environment would be affected by the bylaw, including property managers.

PROCESS OF FORMING THE ADVISORY COMMITTEE

1. Clearly define and write down the terms of reference for the advisory committee (the purpose, the role, the responsibilities, the activities and the amount of time required to serve on the committee).
2. Identify those you feel need to be involved to give you a wide perspective.
3. Talk to each individual in person, giving them the written committee terms of reference.

4. Hold the first 'get acquainted' meeting of the advisory committee.
 - a. Provide refreshments.
 - b. Have each person introduce themselves and explain why they wish to be on the committee.
 - c. Explain about the interest in a smoke-free bylaw in your building.
 - d. Explain the committee terms of reference.
 - e. Hold a question and answer time.
5. Establish the meeting schedule.
6. Hold meetings as needed to gain advice from the committee members. Always tell the committee how and when you plan to use the advice.
7. When the committee disbands, give small gifts of appreciation.

Advisory committee members expect:

- *to feel welcome at committee meetings;*
- *to have a clearly defined purpose, role and expectations;*
- *to receive a thorough orientation;*
- *to feel needed and wanted, and that they make a valuable contribution;*
- *an organizing group to get and keep things going;*
- *to have specific topics to give input about;*
- *to be kept active and receive communications; and,*
- *to have a clearly defined time that the committee will end.*

SAMPLE ADVISORY COMMITTEE TERMS OF REFERENCE

Name: <Your building> Advisory Committee for a Smoke-Free Bylaw

Purpose: To advise the <organizing group such as owners or cooperative board> about matters related to developing and implementing a smoke-free bylaw in the building.

Role and activities: Committee members are asked to read materials, attend meetings, give their opinions and ideas about specific topics, and talk with other residents to gain ideas.

Time commitment: The committee will meet every second Thursday from 7–8 p.m.

Responsibilities: Committee members are expected to read materials and be prepared for meetings, to attend meetings, and to give their knowledge, opinions and ideas. Committee members will understand that the organizing group will listen carefully and consider their input; however, the organizing group will be responsible for making decisions.



Appendix J: Practice session for a smoke-free building

A practice session is a good way to try out your smoke-free policy, find out what stakeholders think, gain insight into what works and doesn't work, and refine the bylaw.

TIMING

When you have engaged stakeholders for their ideas and opinions, and have a good working draft of your smoke-free bylaw, invite stakeholders – particularly residents – to participate in a session to practice living in a smoke-free building. Hold the first practice session with your advisory committee, if you formed one.

OUTLINE OF THE PRACTICE SESSION

1. **Welcome everyone** and tell them that you are asking them to practice living in a smoke-free building.
2. **Introductions:** have each person quickly introduce themselves. If you have a group of more than 50 people, ask them to introduce themselves to two or three other people.
3. **Review** the reasons for a smoke-free bylaw and the activities you have conducted to engage stakeholders in order to find out what they think.
4. **Explain** that you wish to have participants pretend that the smoke-free bylaw is in place and practice using it.
5. **Read the smoke-free bylaw.**
6. **Hold the practice session:**
 - a. Ask each person to think about an entire day as if the smoke-free bylaw existed.
 - b. Ask them to write down their daily routine. If they smoke, what would they do? Where would they go to smoke? If they don't smoke, what differences might they notice (e.g., no smoke odor in hallway)? What might they do if they saw someone smoking?
 - c. Hold a conversation about what people wrote down. You can start with people sharing with two or three others and then with the entire group.
 - d. Record comments.

7. If time permits, repeat the practice session for the duration of a week.

- a. Ask participants to think about their weekly routines. What happens on different days of the week? What activities may change due to a smoke-free bylaw? Who visits? When? If they smoke, what would they do? Where would they go to smoke? If visitors don't smoke, what differences might they notice? What might they do if they saw someone smoking?
- b. Hold a conversation about what people wrote down. You can start with people sharing with two or three others and then with the entire group.
- c. Record comments.

8. Explain how you will use the information and thank everyone for participating.



Appendix K: Sample policy-initiation notice for cooperatives

<Name>
<Address>
<Date>

RE: notice to all residents residing at <insert building name and address>

Dear <Name>,

In the interest of health, quality indoor air, and mutual enjoyment of the premises, the <cooperative board and/or name of property management company> is pleased to inform you that on <date>, the <name> cooperative passed a special resolution to incorporate a smoke-free policy into its bylaws. Effective <date>, a smoke-free policy will apply to all housing units as well as <insert other areas where smoking will be prohibited (e.g.; units, outside balconies and patios, entire outside property)>. <If phasing in the policy, describe that process>.

This policy applies to all new and existing members, tenants, invitees, business invitees, tradespersons, occupants and visitors.

[OR]

This policy applies to all new members, tenants, invitees, business invitees, tradespersons, occupants and visitors; however, existing members/residents will be exempt from the policy for the duration of their membership/residency <or specify length of time of the exemption period>.

Those who qualify for the exemption from the smoke-free bylaw must still comply with all applicable tobacco legislation, which prohibits smoking in indoor common areas accessed by the public, such as hallways and parking garages. They are also still subject to the declaration, rules and bylaws, including those with respect to causing a nuisance or hazard to another person.

The board of directors will make reasonable accommodation for a member, tenant or occupant who has medical proof that they are physically and/or mentally disabled and are unable to control their addiction to nicotine. If this is your situation, please contact the board <or property manager, etc.> to discuss the matter further.

All complaints regarding second-hand smoke will be investigated and addressed. In cases of bylaw infractions, the board will follow the necessary notification and dispute resolution procedures. Repeated infractions may be grounds for membership termination. Please feel free to contact <name of property manager, phone number> if you have any questions. We will be happy to discuss the smoke-free policy and assist you in any way possible.

Sincerely,
<cooperative board and/or name of property management company>

[Attach a copy of the policy]

Appendix L: Sample cooperative-member survey questions

The purpose of this survey is to gather information concerning the opinions and experiences of residents in our co-op complex about second-hand smoke. We are aware of a number of residents who are suffering from second-hand smoke infiltrating their homes from neighbouring units, and it may be time to explore the option of adopting a smoke-free bylaw that would restrict or prohibit smoking in the complex. Indicating your suite number is optional.

Please return your completed survey to <indicate name and/or location>.

Please check the answer that best describes you and your situation.

1. Do you or anyone else in your household smoke cigarettes, cannabis, cigars or a pipe/waterpipe?

- Yes, regularly (daily or weekly)
- Yes, occasionally (less than weekly)
- No

If yes, do you or any household members smoke indoors?

- Yes
- No

2. Which of the following statements best describes the rules about smoking inside your home:

- Smoking is **not allowed anywhere** in my home or on the balcony/porch/patio
- Smoking is **only allowed outside** on the balcony/porch/patio
- Smoking is **allowed only in certain rooms** inside my home
- Smoking is **allowed anywhere** inside my home
- Other (specify) _____

3. How often have you smelled tobacco smoke in your home that comes from another unit or from outside?

- Never
- Occasionally
- Very often
- Always

If you smell smoke in your home, has the smoke impacted your health (i.e.; does it give you headaches, make your eyes water or burn, make you cough, or make you feel ill in any way)?

- Yes
- No



If you smell smoke in your home, where does it most often come from?

- From someone smoking outside on a neighbouring balcony/porch/patio
- From someone smoking inside in a neighbouring unit
- From someone smoking outside on the building property
- From some other location (specify) _____

If you smell smoke, have you ever filed a complaint about it?

- Yes
- No
- Other (specify) _____

4. Does anyone living in your unit suffer from chronic illnesses such as asthma, chronic bronchitis, chronic obstructive pulmonary disease (COPD), heart disease, diabetes, arthritis or cancer?

- Yes
- No
- Maybe
- Don't know

5. Are any of the members who currently live in your unit:

- children younger than the age of 12?
- seniors older than the age of 65?

6. Do you think second-hand smoke is harmful to people's health?

- Yes
- No
- Don't know

7. Do you:

- rent your unit?
- own and live in your unit?
- own but rent out your unit?

8. Would you be interested in living in a building where all smoking was completely banned, including inside private units, on patios, balconies and on all property grounds?

- Yes
- No
- Don't know

If no, which spaces would you like to see included in a ban (check all that apply)?

- Inside private units
- On patios
- On porches
- On balconies
- On outdoor property ground
- All of the above but only related to certain floors or wings of the building
- I don't want to see smoking banned anywhere.
- Other (specify) _____

Please note: In compliance with Alberta laws, smoking is currently not allowed in the common areas of our building, including hallways and elevators. The law also prohibits smoking in any enclosed common patios, pools, other recreation areas and enclosed parking garages. There are five metre smoke-free buffers around doorways, air intakes or public windows that can be opened. These areas will remain smoke-free by law regardless of the outcome of this survey.

9. Are you opposed to or supportive of adopting some form of smoke-free bylaw for our building?

- Strongly supportive
- Supportive
- Opposed
- Strongly opposed
- Other (specify) _____

Comments:

Optional: Floor number _____ Unit number _____

THANK YOU FOR COMPLETING THIS SURVEY – WE VALUE YOUR INPUT.



Appendix M: Sample issue-tracking log

This form can be used by directors, property managers or members to document when smoke enters someone's home from a neighbouring unit. The person documenting efforts to address this issue should include everything done or communicated to resolve the problem, including talking to neighbours or the landlord. This information will be useful to prove how serious the problem is and how often the smoke enters the affected home.

Be sure to include dates and names of all people who are communicated with, and be sure to keep copies of all correspondence.

When documenting each incident, please be sure to answer the following questions:

1. Where is the smoke coming from and how is it entering your home? Include dates and times.
2. How is the smoke affecting the health of you or your family?
3. How is the smoke interfering with the use and enjoyment of your home?
4. What steps have you taken to rectify the problem? (communications or steps taken to seal off your apartment)
5. What happened after each resolution attempt?

Date	Time	Notes
e.g.; August 2, 2013	10 a.m.	Smoke entering my bedroom window from neighbour's balcony. Started wheezing and coughing. Spoke to smoker. Smoker said she always smoked outside – but this is where smoke is coming from.

Appendix N: Sample bylaw-violation letter

Note

Each individual non-profit housing cooperative is required to make its own bylaws regarding the procedures for determining disputes between members, which must include a mediation process. They are also required to make bylaws regarding the manner in which the membership of a member may be terminated. Those bylaws and procedures should be reviewed and followed. Do not use any portion of this sample letter that would undermine an existing bylaw or procedure of your cooperative.

<Name>
<Address>
<Date>

RE: nuisance complaint about second-hand smoke

Dear <Name>,

This notice serves to advise you that we have received several written complaints in regards to the level of second-hand smoke coming from <suite number> at the <name of building>.

<Provide the particulars of the complaint(s), such as date(s), time(s) and the conduct giving rise to the complaint(s). If the person is a tenant, give notice of the complaint to the member acting as landlord.>

By allowing this to happen, you are in contravention of the cooperative bylaws, which state:

<List the section of your bylaws that has been violated (i.e.; either a clause from your smoke-free policy, a clause from a nuisance/hazard policy, a clause about increasing fire risk, or a clause about interfering with the rights of other persons).>

Please provide our office with a response to each of the above complaints within 10 working days. Please be advised that, if requested, you can present your position at a hearing before the board of directors. Future infractions of this bylaw will lead the board of directors to initiate the process of terminating your membership.

On behalf of the cooperative, we thank you for your immediate attention to this matter.

Yours truly,
<Property manager or board of directors>



Appendix O: Flowchart of a complaint process

Complaint from a resident received about a smoking situation.

1

Property manager or cooperative board representative talks with complainant to clarify situation and ensure all facts are known.

2

Property manager or cooperative board talks with person who is named in the complaint, if known.

- Present concern
- Clarify person's position and actions

3

Facilitate a meeting between residents (complainant and person named).

- If all parties agree, hold a meeting to discuss the complaint.
- Have each person explain what happened, the impact and how they feel
- Discuss options for solutions
- Gain ideas from each person on willingness to try solutions
- Reach an agreement, trial period, etc.

4

Initiate formal complaint process if parties are not able to achieve a satisfactory solution.

5

Appendix P: Sample signage



**Welcome to our
smoke-free building**

Thank you for not smoking in common areas, in individual units, on balconies or patios, or within 5 metres of any door, window or air intake.

smokefreehousingab.ca



Canadian
Cancer
Society

