What should I ask before signing my next apartment lease?

After a long search, you have found the perfect apartment. Congratulations! How can you be sure that your new apartment “smokefree”? To avoid future disappointment, we suggest a bit of investigating before you sign the lease because:

1. The definition of “smokefree” differs from one apartment complex to another. In some cases, smokefree means smoking is restricted to specific areas, and in others, smoking may be prohibited everywhere.
2. “Smokefree” does not necessarily mean your new apartment is free of toxic thirdhand smoke residue left behind by a former resident or from a neighbor who ignores the smoking policies.

Make sure you understand the smoking restrictions. Ask the property manager:

- Where on the property is smoking allowed?

The best answer is “We do not allow smoking of any product, including marijuana and electronic cigarettes, anywhere on the property. Residents actually have to leave the property to smoke.”

More likely, you will hear “We restrict smoking and use of electronic cigarettes to specific areas.” Because smoke travels easily through windows, hallways, heating and cooling systems, and around pipes and electrical wiring, you need to do a little more research to find out exactly where people may smoke. If people are allowed to smoke inside their units, outside on their porches or balconies, or in common areas near buildings or stairwells, the smoke may find its way into your apartment.

Ask where people are allowed to smoke, keeping in mind that smoking in or near the building means smoke from neighbors may come into your apartment:

- Is smoking allowed inside apartment units?
- Is smoking allowed outside apartment units, on balconies or porches?
- Is smoking allowed in common areas or parking lots?
- Is there a designated smoking area?
- Is it 50 feet or more from any building?

No matter the smoking policies, you want to ask the property management:

- How do tenants or visitors know about the smoking policy? Are there signs posted throughout the complex about non-smoking policy, including the penalty for violating?
- What is the penalty for violating the smoking policy? Do you evict tenants who violate the smoking policy?
- How do you handle tenant’s complaints about others smoking?
Once you are convinced that the smoking policies are enforced, and that no smoking is tolerated on the premise, you still need to confirm that thirdhand smoke is not present in units. If previous residents of the apartment smoked, inside or outside of the apartment, toxic thirdhand smoke residue can remain for years after they move out. Make sure to ask the property manager:

- Did the people who lived in this apartment smoke?

If the answer is “yes”, we suggest you consider a different unit. You should definitely investigate a bit more. Ask:

- How long did they live in the apartment?
- What kind of cleaning or renovation did you do to the unit after they moved out?

The longer they lived in the unit, the more time for tobacco residue to build up and the greater likelihood of thirdhand smoke. It is important to find out how management prepared the apartment for new tenants. Standard cleaning the apartment, and applying a coat of paint, are unlikely to take care of thirdhand smoke if the smoking was heavy and went on for a long time. Thirdhand smoke sticks to and becomes embedded in virtually all of the surfaces in an apartment, including walls, floors, fabric, and window treatments. Under certain conditions, such as high humidity, the particles and gases can come back out into the air, where they mix and form new toxic chemicals. Renovation to remove thirdhand smoke may need to include removal and replacement of window treatments, carpeting, walls, ceilings, and ventilation systems.

We know it is challenging to find good housing and that many factors go into a final decision about where to live. Since there is no known safe level of exposure to thirdhand smoke, we suggest avoiding a unit where a former smoker lived. We also suggest avoiding properties that allow smoking anywhere on the property and where there are few consequences for violating smoking policies.

Sources


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