



# NO SMOKING RULES FOR COMMUNITY ASSOCIATIONS

## FINANCIAL BENEFITS

### 1. Increased Demand

As fewer people smoke and as the public becomes more aware of the adverse health effects of secondhand smoke, demand for smokefree housing increases. 91% of Oregon adults say no one is allowed to smoke anywhere inside their home (even 69% of smokers say this!) 87% of Washington adults do not allow smoking anywhere in their home.

### 2. Smells Don't Sell

Odors can offend and turn away ready buyers. Real estate brokers have reported that properties that smell of smoke take longer to sell and often sell at a lower price.

### 3. Save Money

Dealing with damages from cigarettes and picking up butts cost the homeowners association and ultimately the owners, money. Mitigation strategies such as filler shields, gaskets under electrical plates, duct audits, etc., can be pricey.

### 4. Fire Hazards

Between 2005 and 2009, smoking caused \$20 million in property loss in Oregon alone. Cigarettes are the top cause of residential fire deaths in Oregon and Washington and the leading cause of outside home fires, many of which become structure fires.

### 5. Possible Insurance Discounts

Some insurance companies are offering discounts. Shop around and talk to your broker. An insurance company may discount general liability insurance premiums if a no-smoking rule is established. Why? No-smoking rules reduce the risk of fire-related property damage, injury, and death.

### 6. Avoid Legal Risk

Nuisance claims and reasonable accommodation requests can be avoided or met by implementing a no-smoking rule. Two primary legal challenges may arise by continuing to allow smoking: a resident could sue either the association or the smoking owner claiming a nuisance. If the resident has a health condition that is affected by exposure to secondhand smoke, he or she could seek relief using one of the disability statutes. If the courts find the condition is a disability, then the resident is entitled to a reasonable accommodation, which could include imposition of a no-smoking rule.

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