



## The Best Smoke-Free Policy to Adopt in Multiunit Housing

More than 9,000 multifamily housing and condominiums in Colorado have adopted no-smoking or smoke-free policies already and are listed at [mysmokefreehousing.com](http://mysmokefreehousing.com) by GASP (Group to Alleviate Smoking Pollution).

Smoke-free policies are being implemented to cut maintenance costs, reduce fire risks, reduce insurance premiums, and resident or staff complaints about drifting tobacco or marijuana smoke and or vapors from electronic smoking devices causing health problems. There is no safe exposure to secondhand smoke.

### At a minimum a "no-smoking" policy should prohibit smoking in:

- All indoor areas, common areas, and individual units.
- All balconies, patios, and porches.
- All outdoor common areas such as pools, picnic areas and enclosed gazebos. \*
- 25 feet from any part of a building such as entrances, windows, doors, and air intakes.
- Electronic smoking device usage (vaping) and marijuana smoking should be included in the policy.

### A "smoke-free" policy should prohibit smoking in:

- All indoor areas, common areas, individual units, balconies, patios, porches, entrances and anywhere on the property grounds.
- Electronic smoking device usage (vaping) and marijuana smoking should be included in the policy.

*\*The Colorado Clean Indoor Air Act of 2006 defines an indoor area as "any enclosed area or portion thereof. The opening of windows or doors, or the temporary removal of wall panels, does not convert an indoor area into an outdoor area." An enclosed gazebo would become an indoor area and therefore smoking should not be allowed according to that law.*

Policies that allow residents to smoke on their balconies, on porches, or near buildings should not be considered a no-smoking or smoke-free policy. Secondhand smoke travels through ventilation, pipes, shafts, and light fixtures which means people are still being exposed. Housing providers that claim to be a smoke-free but still allow smoking on balconies, porches, or next to building may be subject to fair housing or false advertising complaints.

Allowing some people to continue to smoke during the transition or adoption of a smoke-free policy will increase resident friction and distrust of the housing provider. It may also lead to fair housing or false advertising complaints. The best practice is to set a finite date for policy implementation that applies to all residents and avoid drawing it out for longer than a year.

The Group to Alleviate Smoking Pollution manages [mysmokefreehousing.com](https://mysmokefreehousing.com) — Colorado's largest on-line free listing of multiunit residential buildings of two or more units that have a no-smoking or smoke-free policy.

*This fact sheet is provided as a public service and is not intended as legal advice.*

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[mysmokefreehousing.org](https://mysmokefreehousing.org)  
Smoke-free housing listings and resources  
[smokeissmoke.com](https://smokeissmoke.com)  
Information on secondhand marijuana smoke