

## HALIBURTON COMMUNITY HOUSING CORPORATION

Haliburton's scenic lakes and rocky outcrops boast cottages with million dollar views amid picturesque villages located 2½ hours north of Toronto. Finding affordable housing and apartment-style living in this environment can be a challenge, and one that the Haliburton Community Housing Corporation (HCHC) is pleased to address.

They operate 95 units of affordable, non-profit housing in two buildings—Echo Hills (1992) and Parklane (1987)—located a kilometre apart in the town of Haliburton. Seventy percent of their units are subsidized with rent-geared-to-income while thirty percent are offered at market rate. Four units are reserved for 'Community Living' residents with developmental disabilities. Because there are very few private apartment buildings in this region it is no surprise that there is a ten-year waiting list to lease one of their market-rate apartments. All units in both buildings are covered by a no-smoking policy that went into effect June 1, 2009.

The high cost to restore an apartment to market value sparked the development of their no-smoking policy. When a long-term tenant who was a heavy chain smoker leasing a market rate apartment died, the corporation was shocked to discover that it would cost more than \$25,000 to repair damages resulting from over 10 years of smoking. An additional three months of lost income while the work was underway added to the loss. Expenditures to turn over one of their units typically cost between \$1,250 and \$1,500.

The building's maintenance staff had never faced such a daunting repair job before, as smoke had seeped everywhere. It was necessary to completely gut the apartment right back to the studs. Insulation was brown with tar stains around all light fixtures and electrical outlets. Ductwork from the kitchen stove vented to the white soffit over the balcony was stained brown around the vent. All the drywall (ceiling and walls), insulation, kitchen and bathroom cupboards, bathtub surround and carpeting had to be replaced. A product was applied to the plywood sub-floor to seal in any further off-gassing from the residual smoke before new carpeting was laid.

By its very nature, non-profit housing has limited resources to re-coup such losses, so the Board wrestled with how to avoid similar situations in the future. There are still several tenants who remain heavy smokers. When each one of these units eventually turns over, the Board anticipates facing similar costs. Should this occur in the same year, the financial hit could be as high as \$75,000. How should responsibility for assuming these costs be fairly attributed?

Developing the no-smoking policy started in the fall of 2008, and was ready to be implemented the following spring. Part of this process included a survey to seek input from the tenants (75 of the 95 units participated), plus three notifications delivered directly to tenants' doors. The housing manager was in close consultation with the Smoking and Health Action Foundation/Non-Smokers' Rights

Association all along. She made good use of their expertise and educational materials to draft the policy, inform Board members and tenants of the merits of such a policy, and reassure them that they were well within their legal rights and ability to do so.

As of June 1<sup>st</sup>, all new leases specify that smoking is banned indoors in both buildings, on all balconies and patios, and within 9 metres of any operable door, window or air intake source. Existing smokers are grandfathered so that they can continue to smoke until they move out and their unit becomes available. Prospective tenants are informed of the policy verbally, it appears in its own section of the lease and is referred to in a separate addendum. There is also a complete section on the policy in the tenant handbook. Tenants signing new leases must acknowledge receiving the handbook noting the clause about the no-smoking policy.

This year the annual letter sent to those on the waiting list for an apartment highlighted the corporation's new no-smoking policy and invited their comments. Of the 150 prospective applicants waiting to lease a market rent apartment, the vast majority stated that it would NOT affect them negatively. In fact, most were pleased to hear about the new policy.

The positive response from future tenants was reflected by an applicant who had been waiting several years to move into one of the buildings. The available unit happened to be located down the corridor from where 2 of the 3 remaining heavy smokers live. The strong smell of smoke emanating into the hallway was enough to deter the new tenant from accepting the apartment.

Clean and fresh smoke-free apartments are attractive to non-smokers and smokers alike. The corporation's first new tenant under the no-smoking policy is a smoker who has confided that not being able to smoke in his home is just the encouragement he needs to quit.

Challenges that the Board has yet to deal with include deciding how and when they can legally start charging costs for the damage caused by smoking indoors—in the same way that they charge for repairing other damage resulting from tenant actions over and above 'normal' wear and tear. The HCHC is a private, non-profit corporation with a mix of market rate and rent-geared-to-income apartments. When tenants leave, the corporation is responsible for extra costs incurred to bring the units back to market standards. The perplexing issue that the Board continues to wrestle with is overseeing the prudent use of taxpayer funds that subsidize some of the units. The public expects judicious management of its funds, so at what point is damage from smoke subject to the same restitution as damage from other destructive behavior?

As smoking rates continue to decline and smokers move out, the housing manager expects good compliance with their new policy and feels that remaining tenants will also help to informally 'police' new tenants. The annual unit inspection will also indicate if people are smoking indoors. In this way, both peer pressure and public expectations will help to support the no-smoking norm.



If there is non-compliance and the corporation discovers damage from smoking, those responsible will be required to make financial restitution. From management's experience in enforcing other policies, one warning tends to be appropriate before taking more serious action. If problems persist, the recourse is to file an application with the Landlord and Tenant Board so that a ruling will be in place to direct actions immediately should the situation re-occur.

The Haliburton Community Housing Corporation has taken a stand on providing a clean, healthy and safe environment for all its residents that has the additional benefit of ensuring that taxpayer dollars are spent wisely. HCHC will doubtless enjoy continued success attracting new tenants eager to live in such accommodations.

Barbara Fawcett, Housing Manager

Haliburton Community Housing Corporation

Tel: 705.457.3973/9119

1 Victoria Street

Haliburton, ON

K0M 1S0

[hchc@on.aibn.com](mailto:hchc@on.aibn.com)