

# Michigan Smoke free Apartment Project

Jim Bergman, The Center for Social Gerontology-Smoke free Environments Law Project;  
Jim Harrington, M.A. & George Sedlacek, M.A Marquette County Health Department.

*“What’s really great about this smoke-free apartment initiative is that it is a collaboration in which each party brought specific substantive expertise, strategic planning expertise, and key connections to media and policymakers. Most importantly, everyone brought a passion to the overall goal of making smoke-free multi-unit residential housing the norm in Michigan. That’s really great!!” –Jim Bergman*

## BACKGROUND

### Secondhand Tobacco Smoke is a Serious Health Issue in Michigan

- Secondhand smoke kills almost 2,500 annually in Michigan.
- Secondhand smoke is a Group A carcinogen—a substance known to cause cancer in humans for which there is no safe level of exposure.
- Smoking nationally is the cause of 40% of all deaths from apartment fires.
- Secondhand smoke cannot be controlled by ventilation or air cleaning.
- Smoking damages residential property.

## PURPOSE AND HYPOTHESIS

### Landlords can play a role in eliminating a significant cause of illness in the home and a major cause of preventable death in the United States.

- 26% of Michigan housing units are renter-occupied—almost 1 million units with 2.2 million people, 20% of Michigan’s total population.
- While smoke free homes are the norm in Michigan (58%), most apartments are not.
- Past surveys have documented that most tenants would choose to live in a smoke free apartment.
- Apartments that are smoke free will result in fewer health problems for tenants.
- Apartment owners have the legal right to make their rental property smoke free, just as they are free to decline to rent to pet owners. There is no state or federal constitutional right to smoke.
- Not only do landlords have the right to prohibit smoking, but they may in fact be liable under local health or safety codes, the Federal Fair Housing Act, or other common law legal theories for failure to prohibit smoking when a tenant is sensitive to secondhand smoke.
- Collaboration with project partners can speed up social change. Many people are afraid or just do not understand that they have a right to clean indoor air even if they do not own their homes. Also, many apartment owners also wanted to provide a safe and clean environment but were unaware that they could mandate a no-smoking policy.

## METHODS

### Please describe your collaboration.

The MI SmokeFreeApartment initiative began implementation by the Center for Social Gerontology through their Smoke free Environmental Laws Project (SFELP) who contracted with the Michigan Department of Community Health's Tobacco Section (MDCH) in 19 of Michigan's 83 counties in 2004-05 in conjunction with 10 local health departments and their tobacco reduction coalitions. This initiative included the following components: our award-winning web site MISmokeFreeApartment.org which targets landlords and tenants; 2 radio ads; 5 billboards; 4 large colorful postcard mailers sent to landlords to alert them to the web site and reasons they should consider adopting smoke free (SF) policies; a survey sent to over 2,700 landlords in the 19 counties to identify those with SF apartments and those wanting information/assistance; SF apartment decals; press releases on SF apartment issues done in conjunction with the local health departments; downloadable PowerPoint presentations for use by our partners and by landlords or tenants; presentations at landlord and tenant association meetings; newspaper radio and TV interviews; an online listing of SF apartments in Michigan; extensive collaboration with MDCH and local health departments and coalitions; monthly conference calls with our partners to do strategic planning; creation of the mismokefreeapartment-talk list serve for our MI partners; extensive technical assistance (TA) to public and private landlords tenants and policymakers; and development of new legal research and related materials.

### Why was your collaboration formed?

For many years, local health departments have received complaints from tenants in apartment buildings on their exposure to second hand smoke. The Health Departments had very little legal advice for these people. The partnership with SFELP matched legal advice with the local health departments campaigns to reduce second hand smoke exposure. This provided another front to reduce both the exposure to secondhand smoke as well as provide yet another reason to quit smoking.

## RESULTS

- When we started the SF initiative, many if not most MI newspapers thought it was illegal to list apartments in their classified ads as no smoking or smoke-free. Today, as a result of our initiative, most newspapers allow such listings, which re-enforces our message that SF apartments are legal. A recent survey of apartment listings in papers around MI found that 10% to 20% of the listings said SF. We've changed the norm!
- Over 10,000 radio ads
- Over 100 positive TV, Radio and News Stories
- Over 30,000 hits per month on web site
- Assisted 8 MI Housing Commissions to adopt SF policies with over 1,000 units, almost as many policies as there were in the U.S. prior to 2005.
- Over 250 Landlords with 500 apartments with 5,000 units are listed on the web site.

## CONCLUSIONS

Local Health Departments working with advocacy organizations can have dramatic impact on increasing smoke free policies.

## Project Partners:

The Center for Social Gerontology: Smoke-Free Environments Law Project  
Chippewa County Health Department  
Dickinson Iron District Health Department  
Genesee County Health Department  
Ingham County Health Department  
LMAS District Health Department  
Marquette County Health Department  
Michigan Department of Community Health: Tobacco Section  
Ogemaw County Health Department  
Public Health Delta and Menominee Counties  
Washtenaw County Health Department  
Western UP District Health Department



**MISmoke-free Apartment**

### Why smoke-free apartments?

- SHS in apts affects millions of people
- Tenants want smoke-free apartments
- Increasing numbers of complaints about secondhand smoke infiltration in apts
- Health risks the same as elsewhere
- Secondhand smoke cannot be controlled
- Good deal for landlords
- It's legal to do