

## What is Second-Hand Smoke?

If you are breathing unwanted second-hand smoke, it is more than a nuisance or irritant; it is a serious public health hazard.

- Second-hand smoke contains chemicals, poisonous fumes and powerful cancer-causing agents like formaldehyde and benzene
- Second-hand smoke can drift from one residence to another and can enter your home from light fixtures, cracks in walls, doorways, shared ventilation systems and balconies.

## Why Be Concerned About Second-Hand Smoke?

- Second-hand smoke can cause lung cancer, nasal sinus cancer, heart disease and respiratory illnesses in nonsmokers
- Exposing children to second-hand smoke causes bronchitis, pneumonia, coughing, wheezing, asthma and middle ear infections
- Pregnant women exposed to second-hand smoke can increase the risk of miscarriages and stillbirths, babies with low birth weight and Sudden Infant Death Syndrome (SIDS)
- Second-hand smoke is a threat to the health of people with chronic diseases, environmental sensitivities, allergies, and immune deficiencies

For more information on second-hand smoke, go to the Clean Air Coalition of B.C. website at [www.cleanaircoalitionbc.com](http://www.cleanaircoalitionbc.com)

## For Further Assistance

- **The Residential Tenancy Office** can provide information to landlords and tenants on their rights, responsibilities and options. Call your nearest office Toll-Free 1-800-665-8779.
- **The Tenants' Rights Action Coalition (TRAC)** provides legal information to tenants about their rights, and can suggest ways to resolve conflicts with landlords. Call (604) 255-0546 in Vancouver or Toll-Free 1-800-665-1185.
- **The BC Apartment Owners and Managers Association** provides assistance, education and information to landlords and property managers. Call (604) 733-9440 in Vancouver or Toll-Free 1-877-700-9440, or email [questions@bcaoma.com](mailto:questions@bcaoma.com). To find rental units in smoke-free buildings go to [www.bcapartmentowners.com](http://www.bcapartmentowners.com).
- **The Rental Owners and Managers Association of BC (ROMA BC)** provides a range of services and assistance to residential landlords throughout BC. Call 250-382-6324 or Toll-Free 1-888-330-6707 or email [info@suites-bc.com](mailto:info@suites-bc.com).
- **The Condominium Home Owners' Association of BC** provides information on Bylaws and advice on minimizing drifting smoke. Call 604-584-2462 Lower Mainland or Toll-Free 1-877-353-2462.

### RELATED LINKS AND RESOURCES

Airspace Action on Smoking & Health  
[www.airspace.ca](http://www.airspace.ca)

Physicians for a Smoke-Free Canada  
[www.smoke-free.ca](http://www.smoke-free.ca)

Aussi disponible en Français sur demande.



Is unwanted  
**TOBACCO  
SMOKE**  
drifting into your  
apartment or  
condominium?



Information to protect  
tenants from exposure to  
second-hand smoke.



Health  
Canada

Santé  
Canada

Canada



## Know Your Rights, Responsibilities & Options

**Second-hand smoke is a known health hazard.** While tenants who smoke can smoke in their private residences, unless specified otherwise in their tenancy agreement, this should not be at the expense of the health of other tenants.

All tenants are entitled to "quiet enjoyment" of their premises, including the right to be free from the unreasonable disturbances of other tenants. Landlords have a responsibility to ensure that the conduct of a tenant does not unreasonably interfere with the comfort and enjoyment of another tenant's premises.

If second-hand smoke is entering your residence, here are some options to address this health problem.

### Try to Negotiate a Solution

- Talk to your neighbours first. Let them know you are interested in working out an amicable solution
- Look at your tenancy agreement; if you live in a smoke-free building, ask the landlord or Strata Council to enforce the smoke-free policy or Bylaw
- If the problem continues, write to your landlord or Strata and ask for help in resolving the problem
- If you have a chronic illness or condition made worse by exposure to second-hand smoke, obtain a note from your Doctor

### Other Possible Options

- Propose alternative remedies to minimize the smoke, such as sealing cracks, plugging electrical outlets, weather stripping doors, improving ventilation systems or other repairs

- Talk to your landlord or Strata about implementing a smoke-free policy or Bylaw. Landlords have a right to designate all or part of a building as smoke-free
- Negotiate with your landlord about moving to a different location in the building, free from drifting second-hand smoke
- If you choose to move to a smoke-free building, be sure that the tenancy agreement states the entire building is smoke-free, including the unit, building and balconies.

### As a Last Resort

If the problem continues after you have taken all reasonable steps to negotiate a solution, or your landlord refuses to assist in resolving the problem, contact the Residential Tenancy Office or the Tenants' Rights Action Coalition to discuss your options, including the possibility of applying for arbitration.

## What Landlords Can Do to Protect Tenants from Second-hand Smoke

- Landlords have a responsibility to act on reasonable tenant complaints and resolve the problem of drifting second-hand smoke
- Eliminate or minimize drifting smoke by making reasonable repairs or modifications
- Enforce the smoke-free policy or Bylaw, including the balcony and patio areas, wherever buildings or units are designated smoke-free
- If all other efforts fail, consider evicting the tenants who smoke if they are seriously jeopardizing the health of another tenant. The affected tenant must support this action, potentially at an arbitration hearing.
- Convert vacant units into smoke-free units, and move toward a partial or a complete smoke-free building, including balconies and patios

### Landlords can choose to have smoke-free units or buildings, and the benefits include:

- Reduced maintenance costs and fire damage
- Protecting your tenants from second-hand smoke
- Meeting a community need for smoke-free housing

**Did you know that over 80% of British Columbians don't smoke?**

