

Achieving smoke-free apartment living

An information
kit for strata title
accommodation
owners, agents
and tenants

Aims of this kit

The aims of this information kit are to:

- increase awareness of the health, legal and financial benefits of 100% smoke-free housing
- inform strata title owners, agents and tenants about ways to address the problem of second-hand smoke in apartment blocks and other types of multi-unit housing such as townhouses, condominiums and villas
- contribute to the increased availability of smoke-free housing options.



Air-conditioning systems are among the means by which smoke can drift throughout a building

Why there is a need for the kit

As smoking rates in the community have fallen and scientific knowledge on the harmful health effects of exposure to second-hand tobacco smoke has accumulated, the Australian public has become more aware of the benefits of smoke-free environments, whether at home, at work or at a public place.

While smoke-free policies and regulations relating to indoor workplaces and public areas are widespread in Australia, there are few restrictions on smoking in apartment buildings and other multi-unit residences. As a result, there has been a growth in concern among apartment residents about the impact of second-hand smoke drifting into their homes. The resulting increase in the number of people contacting Cancer Council NSW about this problem has led to the development of this kit.



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The concerns of those who contact Cancer Council about this problem are valid. A number of scientific studies have found tobacco smoke contaminants in the apartments of non-smoking residents who live in a building where people are permitted to smoke indoors.¹⁻⁴ The reason for this is that smoke tends to drift throughout a building via door and window jambs, wall-inset air vents, mechanical ventilation and air conditioning systems, elevator shafts, hallways, stairwells, cracks in walls, balconies, patios, plumbing systems and electrical systems.

One course of action that people living in apartments and other multi-unit residences have taken to resolve the problem is to gain the support of their building's owners' corporation to pass a strata by-law prohibiting smoking on the property. Such by-laws have been passed on the grounds that tobacco smoke that drifts into the apartments of others and into common areas of buildings constitutes a nuisance, in the same way that loud music, barking dogs or other noxious fumes would be regarded as a nuisance. This course of action has survived legal challenge in NSW.^{5,6}

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Most people want to live in a smoke-free environment and this has been confirmed by a recent survey that found over 90% of people have made their own residences smoke-free.⁷ With 15% of Australians being daily smokers⁸ it would appear that even many smokers prefer to live in a smoke-free environment.

If you are considering taking some action to resolve a smoke drift problem in your residential block, this kit can provide you with the evidence and options for achieving smoke-free apartment living.

The kit contains the following Information Sheets:

- **Information Sheet 1**
Why choose smoke-free apartments?
- **Information Sheet 2**
What you can do to prevent or address the problem of smoke drift in apartment blocks
- **Information Sheet 3**
Case studies
- **Information Sheet 4**
Examples of 'smoke-free' strata by-laws
- **Information Sheet 5**
Frequently asked questions
- **Information Sheet 6**
What is happening overseas?
- **Information Sheet 7**
General information

References

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2. Kraev TA, Adamkiewicz G, et al. Indoor concentrations of nicotine in low-income, multi-unit housing: associations with smoking behaviours and housing characteristics. *Tob Control* 2009;18:438-44
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6. Supreme Court of NSW. (1997); *Salerno v Proprietors of Strata Plan No. 42724*; (1997) 8 BPR 15,457; BC9701114.
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8. Australian Institute of Health and Welfare. (2011); *2010 National Drug Strategy Household Survey report. Drug statistics series no. 25. Cat. no. PHE 145. Canberra: AIHW.*