



Benefits of smoke-free apartments

Health benefits of smoke-free apartments

■ **Secondhand smoke is a health concern**

Secondhand tobacco smoke is a cause of cancer and any level of exposure is unsafe.¹⁻³ Children exposed to secondhand smoke are at an increased risk of sudden infant death syndrome, acute respiratory infections, ear problems, and more severe asthma. Adults who have been exposed to secondhand smoke experience immediate adverse effects on their cardiovascular system and in the long term can develop coronary heart disease and lung cancer.^{1,4} In Australia 6% of lung cancer cases in men and women have been attributed to living with a partner who smokes.⁵

■ **Cancer Council NSW supports the community in achieving smoke-free living**

Allowing more people to live smoke-free by reducing the community's exposure to secondhand smoke is a priority for Cancer Council NSW. Our interest in strata law reform stems from our concern that residents in strata schemes are not protected from forced exposure to secondhand smoke, many of whom are concerned about exposure within their home.

Residents of apartments are particularly susceptible because smoke can easily move between smoking and non-smoking areas of a building. Cancer Council's NSW Community Survey on Cancer Prevention (2016) found one in five people reported secondhand exposure to smoke inside their homes with 62% experiencing it weekly. People living in apartments were twice as likely to be exposed as those living in detached houses (34% vs 17%).⁶

■ **You are not alone: there is community support for smoke-free living**

Laws restricting smoking in indoor and outdoor public areas have been widely adopted and accepted in NSW due to the known, serious health risks of secondhand smoke exposure.^{1-3,7} For many years surveys have shown that the majority of Australians (93%) want to live in smoke-free homes.⁸ Yet residents living in apartment complexes remain exposed to secondhand smoke, even in common areas.⁹

Although some strata schemes in NSW are already adopting smoke-free by-laws, including 100% smoke-free by-laws that ban smoking completely, there is not a great deal of information available to people affected by secondhand smoke on how they can address this important issue.¹⁰ This toolkit is designed to assist residents and owners' corporations in how they can make their apartment complex smoke-free.

■ **Cancer Council Australia National Position Statement is available**

Cancer Council NSW is frequently contacted by residents of strata schemes seeking advice on what can be done to stop secondhand smoke from entering their home. Cancer Council Australia, the nationwide organisation, recognises that smoke infiltration is not safe and is a continuing hazard. A national position statement on addressing smoke infiltration in multi-unit housing is available on the Cancer Council Australia website by searching "smoke infiltration".

Financial benefits of smoke-free apartments

► Financial benefits exist for both tenants and owners

Housing providers may be reluctant to go smoke-free, but there are numerous financial benefits of smoke-free homes. These include cheaper cleaning costs, better re-sale value and a reduced risk of fire.

Smoke-free apartments have been shown to have cheaper cleaning costs for owners of units who are selling or leasing their properties as tobacco smoking leaves smoke residue on walls and curtains. A report in the United States found apartment turnover costs were double when smoking is allowed compared to a smoke-free unit.¹¹

Smoke can cling to surfaces long after an active smoker has left and this lingering smoke can continue to cause health hazards by releasing chemicals in to the air.¹² A study of apartments that had been recently vacated by smokers found that the level of nicotine in dust, air and on surfaces was still high two months later, even after the apartments had been professionally cleaned.¹³

This means that new residents may experience these negative health effects and makes apartments where previous residents have smoked undesirable.

Smoke-free homes carry a reduced risk of fire and other cigarette-related damage such as burn marks on carpets, furniture and counters thereby reducing repair or replacement costs. Fires attributed to smoking still contribute substantially to the social costs of tobacco smoking.¹⁴

Legal benefits of smoke-free apartments

► Smoke-free apartments protect landlords from legal claims

Providing smoke-free housing means that landlords are protected from legal claims of tenants who are exposed to secondhand smoke. In a case heard by the Civil and Administrative Tribunal (see Fact sheet 3: Bhandari versus Laming 2015) a landlord was ordered to pay compensation to a tenant as it was decided that he had failed in this responsibility as the tenant was experiencing smoke-penetration from a neighbouring apartment. The tribunal said that the landlord could have asked the owners' corporation to introduce a by-law to ban smoking, attain an order for the smoker to stop smoking or undertake repairs to prevent smoking passing between the two units. This ruling set a precedent for many other landlords to be vulnerable to similar fines for not providing a healthy living environment for their tenants.

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