

SMOKEFREE MULTI-UNIT HOUSING RUBRIC

November 2021

Fields	Category	Max Points	ANRF Suggested Weighting (Points)
County Name	Core Variable	0	
County FIPS Code	Core Variable	0	
City Name or Unincorporated (for County)	Core Variable	0	
City FIPS Code	Core Variable	0	
Policy Topic	Core Variable	0	
Most Recent Date Enacted	Core Variable	0	
Most Recent Effective Date	Core Variable	0	
Model Policy Date	Core Variable	0	
Filename	Core Variable	0	
1. Does the policy apply to all inhaled tobacco and nicotine products (i.e. products that produce emissions)?	Tracking	0	Yes; No
2. Does the policy apply to electronic smoking devices, such as e-cigarettes?	Specificity	3	Yes, everywhere in MUH areas where smoking is prohibited=3; Less than everywhere smoking is prohibited/No/Not Applicable=0
2a. If e-cigarette use is prohibited less than everywhere smoking is prohibited, are MUH units free of e-cigarette use?	Tracking	0	Yes; Partial; No
2b. If e-cigarette use is prohibited less than everywhere smoking is prohibited, are outdoor MUH areas free of e-cigarette use?	Tracking	0	Yes; Partial; No
3. Does the policy apply to smoking and vaping marijuana?	Specificity	3	Yes, both smoking <i>and</i> vaping everywhere smoking is prohibited=3; Less than everywhere smoking is prohibited/Only smoking marijuana is prohibited where smoking is prohibited generally/Only vaping marijuana is prohibited where smoking is prohibited generally/No/Not Applicable=0
3a. Are the marijuana restrictions free of exemptions for medical use (smoking and/or vaping)?	Tracking	0	Yes; No

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3a1. If there are medical use exemptions, specify parameters.	Tracking	0	Text field
3b. Are the marijuana restrictions free of exemptions for ESD-only marijuana use?	Tracking	0	Yes; No
4. Does the policy apply to hookah, in all of the scored venues?	Specificity	1	Yes, everywhere smoking is prohibited generally =1; Less than everywhere smoking is prohibited generally/No/Not Applicable=0
5. Does the policy apply to heated tobacco products, like IQOS, in all of the scored venues?	Specificity	1	Yes, everywhere smoking is prohibited=1; Less than everywhere smoking is prohibited generally/No/Not Applicable=0
6. What is the minimum number of units in a building to be covered by the policy?	Restrictiveness	6	2 units=6; 3+ units/No provisions in place/Not Applicable=0
6a. Duplexes included.	Tracking	0	Included as MUH; Excluded from MUH restrictions; Not Specified
6b. Accessory dwelling units/in-law units included.	Tracking	0	Included as MUH; Excluded from MUH restrictions; Not Specified
6c. Mobile home parks included.	Tracking	0	Included as MUH; Excluded from MUH restrictions; Not Specified
7. Apartments only: Are enclosed common areas required to be smokefree?	Restrictiveness	3	Yes=3; Sections/No=0
8. Apartments only: Are private units required to be smokefree?	Restrictiveness	5	Yes, 100% of units=5; Yes, but only new units/specified buildings=2; Yes, but exemption for certain % of units/Other specified exemption=1; No=0
8a. If Certain % of units are smokefree, specify the final %.	Tracking	0	Text field; Not Specified
8a1. Is a date specified for the final %?	Tracking	0	Yes; No
8b. Only new units/specified buildings must be smokefree.	Tracking	0	Yes; No
8c. If Other Specified Exemption, describe.	Tracking	0	Text field

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9. Apartments only: If smoking in units is restricted, is the policy free of exceptions for current residents who smoke?	Restrictiveness	6	Yes, completely free of exceptions once final policy effective date has passed=6; Temporary exception for duration of lease=4; Exception for as long as resident lives in unit=0; Other/Not Applicable=0
9a. If specified timeframe, note the duration:	Tracking	0	Text field
9b. If other, specify.	Tracking	0	Text field
10. Apartments only: What is the phase-in period for current residents?	Tracking	0	One year (12 months) or less; 13 months to 24 month; 25+ months/Not specified/Unable to determine phase-in period
10a. What is the phase-in period (e.g. number of months)?	Tracking	0	Text field
11. Apartments only: If smoking in units is restricted, does the policy require exclusive use outdoor spaces, such as balconies and patios, to be smokefree?	Restrictiveness	2	Yes=2; No/Not Specified/Not Applicable=0
12. Apartments only: Are all unenclosed common areas, such as pool areas, courtyards, entryways, and staircases, required to be smokefree?	Restrictiveness	2	Yes=2; Yes, but only specified areas/distance=1; No=0
12a. If "Yes, but only specified areas/distance," list all areas/distance mentioned.	Tracking	0	Text field
13. Apartments only: If smoking in units is restricted, does the policy require <i>existing</i> apartment complexes to be smokefree?	Restrictiveness	4	Yes=4; Yes, but with exemptions=1; No/Not Applicable=0
13a. If "Yes, but with exemptions," specify exemption(s).	Tracking	0	Text field
14. Apartments only: What is the phase-in range for nonsmoking restrictions in <i>existing</i> units?	Restrictiveness	2	One year (12 months) or less=2; 13 months to 24 months=1; 25+ months/Not specified/Unable to determine phase-in period=0
14a. What is the phase-in period (e.g. number of months)?	Tracking	0	Text field
15. Apartments only: If smoking in units is restricted, does the policy require <i>new</i> apartment complexes, i.e. units that will be built or occupied after the ordinance is adopted, to be smokefree?	Restrictiveness	3	Yes=3; Yes, but with exemptions=1; No/Not Applicable=0
15a. If "Yes, but with exemptions," specify exemption(s).	Tracking	0	Text field
16. Condos only: Are enclosed common areas required to be smokefree?	Restrictiveness	3	Yes=3; Sections/No=0

Fields	Category	Max Points	ANRF Suggested Weighting (Points)
17. Condos only: Are private units required to be smokefree?	Restrictiveness	5	Yes, 100% of units=5; Yes, but only new units/specified buildings=2; Yes, but exemption for certain % of units=1/Other specified exemption=1; No=0
17a. If Certain % of units are smokefree, specify final %.	Tracking	0	Text field; Not Specified
17a1. Is a date specified for the final %?	Tracking	0	Yes; No
17b. Only new units/specified buildings must be smokefree.	Tracking	0	Yes; No
17c. If Other Specified Exemption, describe.	Tracking	0	Text field
18. Condos only: If smoking in units is restricted is the policy free from exceptions for current residents who smoke?	Restrictiveness	6	Yes, completely free of exceptions once final policy effective date has passed=6; Exception for as long as resident lives in unit=0; Other/Not Applicable=0
18a. If specified timeframe, note the duration:	Tracking	0	Text field
18b. If Other, specify:	Tracking	0	Text field (e.g. 1 year, etc.)
19. Condos only: What is the phase-in period for current residents?	Tracking	0	One year (12 months) or less; 13 months to 24 months; 25+ months/Not specified/Unable to determine phase-in period
19a. What is the phase-in period (e.g. number of months)?	Tracking	0	Text field
20. Condos only: If smoking in units is restricted, does the policy require exclusive use outdoor spaces, such as balconies and patios, to be smokefree?	Restrictiveness	2	Yes=2; No/Not Specified/Not Applicable=0
21. Condos only: Are all unenclosed condo complex common areas, such as pool areas, courtyards, entryways, and staircases required to be smokefree?	Restrictiveness	2	Yes=2; Yes, but only specified areas/distance=1; No=0
21a. If "Yes, but only specified areas/distance," list all areas/distance mentioned.	Tracking	0	Text field
22. Condos only: If smoking in units is restricted, does the policy require <i>existing</i> condo complexes to be smokefree?	Restrictiveness	4	Yes=4; Yes, but with exemptions=1; No/Not Applicable=0
22a. If "Yes, but with exemptions," specify exemption(s).	Tracking	0	Text field
23. Condos only: What is the phase-in range for nonsmoking restrictions in <i>existing</i> units?	Restrictiveness	2	One year (12 months) or less=2; 13 months to 24 months=1; 25+ months/Not specified/Unable to determine phase-in period=0

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23a. What is the phase-in period (e.g. number of months)?	Tracking	0	Text field
24. Condos only: If smoking in units is restricted, does the policy require <i>new</i> condo complexes, i.e. units that will be built or occupied after the ordinance is adopted, to be smokefree?	Restrictiveness	3	Yes=3; Yes, but with exemptions=1; No/Not Applicable=0
24a. If "Yes, but with exemptions," specify exemption(s).	Tracking	0	Text field
25. Apartments only: Are landlords required to include no-smoking lease terms in rental agreements?	Enforcement	3	Yes=3; No=0
26. Apartments only: Are landlords required to alert residents to the smokefree requirements?	Enforcement	2	Yes, Current and prospective=2; Current only=1; No=0
27. Apartments only: Are MUH complexes required to disclose the location of smoking and nonsmoking units?	Enforcement	3	Yes=3; No/Not Applicable=0
27a. Apartments only: Are MUH complexes required to disclose the smoking history of a unit?	Tracking	0	Yes; No; Not Applicable
28. Apartments only: Can private individuals seek to enforce the smokefree housing ordinance (i.e. is there a cause of action against neighbors)?	Enforcement	2	Yes=2; No=0
29. Apartments only: Is secondhand smoke designated as a nuisance?	Enforcement	0	Yes; No
30. Apartments only: Does the policy require the posting of "no-smoking" signs wherever smoking is regulated?	Enforcement	1	Yes=1; No=0
31. Apartments only: Does the policy specify that a specific government official or agency will be responsible for enforcing the policy?	Enforcement	2	Yes=2; No=0
31a. If yes, health agency?	Tracking	0	Yes; No
31b. If yes, law enforcement?	Tracking	0	Yes; No
31c. If yes, fire department?	Tracking	0	Yes; No
31d. If yes, code enforcement officer?	Tracking	0	Yes; No
31e. If yes, elected officials?	Tracking	0	Yes; No
31f. If yes, administrator?	Tracking	0	Yes; No
31g. If yes, housing authority?	Tracking	0	Yes; No
31h. If yes, other	Tracking	0	Text field
32. Apartments only: Are penalties specified?	Enforcement	2	Yes=2; No=0
32a. Graduated penalty system?	Tracking	0	Yes; No
32b. Is injunction/abatement of nuisance available as a remedy?	Enforcement	1	Yes=1; No=0
32c. Are fines a possible penalty?	Tracking	0	Yes; No
32c1. If fines, specify:	Tracking	0	Text field
32d. Infraction?	Tracking	0	Yes; No
32e. Misdemeanor?	Tracking	0	Yes; No
32f. Is eviction a possible penalty?	Tracking	0	Yes; No
32f1. If Yes, which number penalty?	Tracking	0	Text field

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32g. Other specified penalties?	Tracking	0	Text field
33. Condos only: Are HOAs/condo boards/equivalent governing bodies required to include no-smoking terms in governing rules/regulations?	Enforcement	3	Yes=3; No=0
34. Condos only: Are HOAs/condo boards/equivalent governing bodies required to alert residents to the smokefree requirements?	Enforcement	2	Current and prospective=2; Current only=1; No=0
35. Condos only: Are condo complexes required to disclose the location of smoking and nonsmoking units?	Enforcement	3	Yes=3; No=0
35a. Condos only: Are condo complexes required to disclose the smoking history of a unit?	Tracking	0	Yes; No; Not Specified
36. Condos only: Can private individuals seek to enforce the smokefree housing ordinance (i.e. is there a cause of action against neighbors)?	Enforcement	2	Yes=2; No=0
37. Condos only: Is secondhand smoke designated as a nuisance?	Enforcement	0	Yes; No
38. Condos only: Does the policy require the posting of "no-smoking" signs wherever smoking is regulated?	Enforcement	1	Yes=1; No=0
39. Condos only: Does the policy specify that a specific government official or agency will be responsible for enforcing the policy?	Enforcement	2	Yes=2; No=0
39a. If yes, health agency?	Tracking	0	Yes; No
39b. If yes, law enforcement?	Tracking	0	Yes; No
39c. If yes, fire department?	Tracking	0	Yes; No
39d. If yes, code enforcement officer?	Tracking	0	Yes; No
39e. If yes, elected officials?	Tracking	0	Yes; No
39f. If yes, administrator?	Tracking	0	Yes; No
39g. If yes, other	Tracking	0	Text field
40. Condos only: Are penalties specified?	Enforcement	2	Yes=2; No=0
40a. Graduated penalty system?	Tracking	0	Yes; No
40b. Is injunction/abatement of nuisance available as a remedy?	Enforcement	1	Yes=1; No =0
40c. Are fines a possible penalty?	Tracking	0	Yes; No
40c1. If fines, specify.	Tracking	0	Text field
40d. Infraction?	Tracking	0	Yes; No
40e. Misdemeanor?	Tracking	0	Yes; No
40f. Is lien/foreclosure a possible penalty?	Tracking	0	Yes; No
40g. Other specified penalties?	Tracking	0	Text field
41. Do the MUH provisions as they relate to units apply to combustible tobacco products?	Tracking	0	Yes; Not Applicable
	Total points:	100	