

NINA DUNN HOUSING HOUSING DEVELOPMENT FUND CORP.

1670 LONGFELLOW AVENUE /SUITE 1F

BRONX, NY 10460

TEL: (718) 542-2455/ FAX: (718) 991-7133

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NINA DUNN HDFC SMOKE FREE POLICY

New York City Smoke- Free Air Act of 2002 prohibits smoking in lobbies, stairwells, hallways, elevators, laundry rooms, and other common areas in residential buildings with ten or more units.

Nina Dunn HDFC has adopted the Smoke-Free Air Act. The smoke-free policy implemented in 2019. This policy does not discriminate against smokers: it simply requires people to smoke outdoors, where secondhand smoke will not drift into neighboring units.

Smoke-Free Building Policy

Purpose

The purpose of this policy is to promote the health, safety, and comfort of all residents, guests, employees, and contractors by reducing exposure to secondhand smoke and smoke-related odors within the building and surrounding property.

This policy is adopted under the authority of the Board of Directors of [Cooperative Name] and is intended to comply with applicable New York City and New York State laws.

1. Definitions

For purposes of this policy:

Smoking means inhaling, exhaling, burning, carrying, or using:

- cigarettes
- cigars
- pipes
- hookahs

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- cannabis products
 - electronic smoking devices or vaping products
 - any other lighted or heated tobacco or plant product

Electronic smoking device includes e-cigarettes, vape pens, cartridges, and similar devices.

2. Smoke-Free Areas

Smoking is prohibited in all indoor common areas, including but not limited to:

- hallways
- elevators
- stairwells
- lobbies
- laundry rooms
- storage rooms
- fitness rooms
- community rooms
- garages
- maintenance areas

Smoking is also prohibited within:

- Ten feet of all building entrances, exits, windows, and air intakes
- all outdoor usual areas owned or controlled by the cooperative EXCEPT the backyard

3. Residential Units

Choose one option:

Full Smoke-Free Building

Smoking is prohibited inside all apartments, terraces, balconies, patios, and limited common elements.

Smoking inside private apartments is discouraged but permitted unless smoke or odors migrate into neighboring units or common areas.

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(For NYC co-ops, Option A provides the clearest enforcement and minimizes nuisance disputes.)

4. Resident Responsibility

Residents are responsible for:

- informing household members, guests, contractors, and tenants of this policy
- ensuring compliance within their unit and by their visitors
- preventing smoke migration into neighboring apartments or common areas

5. Lease / Proprietary Lease Incorporation

This policy shall be incorporated into:

- the proprietary lease
- house rules
- occupancy agreements
- alteration agreements where applicable

Violation of this policy constitutes a violation of the cooperative's house rules and governing documents.

6. Enforcement

The cooperative may enforce this policy through:

- written warnings
- fines authorized under the house rules
- reimbursement for smoke remediation costs
- legal action permitted under the proprietary lease and applicable law

Suggested enforcement schedule:

1. First violation: written warning

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2. Second violation: \$100 fine
 3. Third violation: \$250 fine
 4. Continued violations: board review and legal remedies
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7. No Waiver

Failure to enforce any provision of this policy at any time shall not constitute a waiver of the cooperative's right to enforce it later.

8. Effective Date

This policy is effective as of April 2019

Residents shall receive written notice at least 30 days prior to implementation.

9. Board Approval

Approved by the Board of Directors of Nina Dunn HDFC

on April 1, 2019.