

Housing Authority of the City of Charleston Smoke-Free Enforcement Policy

1. If a **complaint** or **lease-violation observation form** is received by the CHA property manager and/or staff, it will be documented on a 'Smoke-Free Housing Violation & Complaint Form.'
2. A CHA property manager will provide the non-compliant tenant with 24-hour written notice of the pending investigation to follow as a result of the complaint and/or staff observation filed against them. The written notice will contain a description of the violation alleged in the complaint, the reason for the inspection, and the smoke-free policy lease language.
3. After the initial investigation and the complaint is deemed valid, a CHA staff member will issue a verbal warning, either in person or via telephone, to the non-compliant resident and require 5 days to cure the violation. The non-compliant resident will also receive another copy of the smoke-free policy.
4. If CHA receives a written complaint and staff members do not observe a violation, an appointment is scheduled to discuss the complaint and give the tenant an opportunity to tell his or side of the story.
5. If the complaint is invalid, the CHA staff will use the 'Smoke Free Housing Violation & Complaint Form' to close the complaint.
6. Furthermore, if the resident cures the violation within the specified time period, the CHA staff will use the 'Smoke-Free Housing Violation and Complaint Form' to close the complaint.
7. **Following a second violation**, the complaint is investigated in accordance with the notice-method detailed in Step 2. If the complaint is valid, a written warning is issued to the non-compliant tenant describing the conduct in violation of the lease agreement and reminding the tenant that four (4) validated infractions will result in eviction . Thereafter, a private meeting with the tenant is held to discuss reasons for the continued lease agreement violation and cessation support if the tenant is interested.
8. **Following a third violation**, the complaint is investigated in accordance with Step 2, and a final written notice is issued. This final written notice will contain the smoke free policy lease language, a description of the infraction, and clearly communicate that a fourth violation will result in ejection proceedings being filed against the non-compliant tenant.
9. **A fourth violation** will constitute a material non-compliance and serious violation of the rental agreement. As a result, the resident will receive a written notice of lease termination/demand for possession pursuant to paragraph 12(B)(3) of the rental agreement.
10. If a resident is compliant with the smoke-free policy for a total of 365 days following the issuance of any verbal warning or written notice under this enforcement policy, CHA will renew the number of documented violations for that resident, *unless* the resident has incurred a fourth violation and is subject to lease termination proceedings.

Housing Authority of the City of Charleston (CHA)

SMOKE-FREE HOUSING VIOLATION & COMPLAINT FORM

VIOLATION

NAME OF VIOLATOR _____

DATE/TIME OF VIOLATION _____

LOCATION _____

DESCRIPTION _____

I give permission for my name to be revealed to the violator. Yes No

Signature

Date

Form must be signed and dated in order for CHA to follow up on complaint.