

Cannabis and multi-unit housing:

A guide for property managers and owners in Minnesota

The health risks: smoke is smoke

Smoke from cannabis contains many of the same toxins, irritants, and carcinogens found in tobacco smoke. Secondhand cannabis smoke can be a serious health hazard, impacting the heart and lungs of neighbors and residents.



Minnesota law & cannabis in multi-family housing



- The smoking or vaping of adult-use (non-medical) cannabis is prohibited in multi-family housing buildings, including balconies and patios.
- The smoking or vaping of non-medical cannabis in any location is prohibited where a minor (under 21 years of age) could inhale the smoke or vapor.

**This does not apply to the use of medical cannabis flower or medical cannabinoid products by registered patients.*

Your right to adopt a smoke-free policy

- While state law prohibits smoking or vaping of non-medical cannabis in all areas of multi-family housing, property managers and Home Owners Associations (HOAs) have the legal authority to implement a stronger smoke-free policy.
- Property managers may choose to implement 100% smoke-free policies that prohibit the smoking and vaping of cannabis for both adult use and medical purposes in their lease agreements to protect against secondhand smoke, while still allowing tenants with a medical cannabis registration to use products in noncombustible, non-vaporized forms.
 - Relying on state law means waiting for state agencies to intervene. Including cannabis in your own lease definition allows you to enforce the rules directly and provides stronger protection for your property.
 - Consider prohibiting the smoking or vaping of commercial tobacco products for the most comprehensive protections.

Did you know?

A "smoke-free" policy is a behavior-based rule, not a resident-based rule. It doesn't mean you can't rent to people who smoke; it simply means they cannot smoke indoors.

Enforcement of housing policies should focus on health and housing stability rather than eviction.

Examples of recommended strategies:

- Providing residents with the information they will need to comply with policies, prior to purchasing or renting a unit.
- Establishing a graduated enforcement process and applying it uniformly to all residents, guests, and staff.
 - This could include two verbal warnings, a written warning, and a notice to vacate with an opportunity to remedy before the final consequence of lease termination.
- Utilizing compliance tools such as signage, resident reminders, and referrals to programs for smoking cessation support.
- Educating all staff who work in and around the building of policy details (i.e., maintenance staff, caretakers, etc.).



Example of outdoor signage from Live Smoke Free.

Resources

Live Smoke Free provides free tools to adopt, enhance, and maintain smoke-free housing policies.

- **Model policies**
- **Free signage and materials**
- **Compliance and Enforcement Toolkit**
- **Cessation support**

Visit [mnsmokefreehousing.org/cannabis](https://www.mnsmokefreehousing.org/cannabis) for more information.



bit.ly/3QbVvKl

Scan for citations and supporting resources.



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Contact Live Smoke Free for free, personalized guidance.

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