



## WHERE CAN I GO FOR HELP?

### National Legal and Conflict Mediation Resources for Public Housing Managers and Residents

If you are a public housing resident that is being exposed to secondhand smoke in your apartment or you are a public housing manager that is struggling with smoke-free policy compliance at your property, you may wonder what legal options are available to help support your case. We recommend these steps before pursuing a legal option:

**Step 1:** Review the policy and enforcement details

**Step 2:** Make a list of attempted solutions

**Step 3:** Review the informational documents available on [www.smokefreepublichousingproject.org](http://www.smokefreepublichousingproject.org).

**Step 4:** Determine if there are onsite staff or groups that can help you (e.g., resident council leaders, social workers, etc.)

**Step 5:** Document the problem (in writing)

- Learn more about how to document a smoking violation here: [www.mnsmokefreehousing.org](http://www.mnsmokefreehousing.org)

**Step 6:** Speak with the stakeholders involved (e.g., building manager, residents, smokers, non-smokers, etc.)

Experiencing  
secondhand  
smoke problems  
in housing?

You're not alone.

**Step 7:** Contact your local smoke-free housing program, health department, or local American Lung Association for support

- Find a program near you in the Global Director of Smoke-Free Housing Programs here:

[www.smokefreepublichousingproject.org/resource-bank.php](http://www.smokefreepublichousingproject.org/resource-bank.php)

**Step 8:** Find tips for conflict de-escalation here:

[www.smokefreepublichousingproject.org/resource-bank.php](http://www.smokefreepublichousingproject.org/resource-bank.php)

**Step 9:** Email questions to [smokefreepublichousing@hud.gov](mailto:smokefreepublichousing@hud.gov)

**Step 10:** Contact a legal resource or conflict mediation agency (see below)

The resources below may be able to provide additional legal information or support to help remedy your situation. These resources are for reference only. Contact an attorney for legal advice before proceeding with any legal action.



## National resources: property staff & residents

The following resources may be useful to both property managers and residents of public housing.



### ***Department of Housing and Urban Development (HUD)***

[www.hud.gov/smokefreepublichousing](http://www.hud.gov/smokefreepublichousing)

HUD can answer questions and provide technical assistance on issues related to smoke-free policy implementation and enforcement. Send inquiries to [smokefreepublichousing@hud.gov](mailto:smokefreepublichousing@hud.gov).

### ***Public Health Law Center (PHLC)***

<https://publichealthlawcenter.org/>

PHLC provides resources and information about legal issues related to smoke-free housing for property owners, managers, and residents. PHLC does not provide direct legal assistance to individuals. Rather, they are a source of legal information and legal technical assistance.

### ***National Association of Attorneys General - Who's my AG?***

<http://www.naag.org/naag/attorneys-general/whos-my-ag.php>

The rights and duties of managers and residents are spelled out in federal, state, and local laws. These responsibilities can vary from state to state. Your state's AG office should have additional information to explain the rights and responsibilities in your state.



## **Mediation and conflict resolution**

Mediation is a conflict resolution process in which a neutral mediator assists the parties through constructive discussion and negotiation of their issues in order to reach a mutually acceptable resolution. Mediating a case before a lawsuit is filed enables the parties to present their case to a mutually selected neutral person before any money is spent on litigation. The cost of mediating a case is minimal compared to the costs incurred through the life of a lawsuit.

**Mediation is a  
less costly way  
to settle some  
disputes.**

### ***Mediate - Locate a Mediator Directory***

<https://www.mediate.com/mediator/search.cfm>

Mediate.com is a provider of online services for mediation professionals and programs. The Mediator Directory allows users to search by geographic area for mediators that specialize in landlord-tenant disputes.

### ***National Conflict Resolution Center***

<https://www.ncrconline.com/>

The National Conflict Resolution Center (NCRC) serves a variety of communities in both the public and private sectors – regionally, nationally and internationally. NCRC’s mission is to resolve issues with the highest possible degree of civility and equitability to all parties involved.



## **National resources: residents**

The following resources are intended specifically for residents.

### ***HUD Multifamily Housing Complaint Line (MFHC)***

[https://www.hud.gov/program\\_offices/housing/mfh/hc/complaint](https://www.hud.gov/program_offices/housing/mfh/hc/complaint)

This resource is available for public housing residents to report issues such as poor maintenance, dangers to health and safety, management, and fraud. Callers can speak to MFHC information specialists, in English or Spanish, and receive information to deal with management or report their complaints to HUD.

- 1-800-MULTI-70 (1-800-685-8470)

### ***HUD Fair Housing Act Materials***

[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)

This is a resource for residents with disabilities that require accommodation. It is possible that individuals with health conditions exacerbated by secondhand smoke may be considered disabled under the federal Fair Housing Act. The determination of whether an individual is “disabled” is decided on a case by case basis, after



considering all the facts. The link includes a complaint form where residents can file a complaint with HUD via online, mail, or email. HUD is supposed to follow-up in a few weeks to get more information about the situation.

### ***National Housing Law Project***

<https://www.nhlp.org/>

The National Housing Law Project's mission is to advance housing justice for poor people and communities. They achieve this by strengthening and enforcing the rights of renters, increasing housing opportunities for underserved communities, and preserving and expanding the nation's supply of safe and affordable homes.

### ***Legal Services Corporation: Find Legal Aid***

[www.lsc.gov/what-legal-aid/find-legal-aid](http://www.lsc.gov/what-legal-aid/find-legal-aid)

LSC is an independent nonprofit established by Congress in 1974 to provide financial support for civil legal aid to low-income Americans. The Corporation currently provides funding to 133 independent nonprofit legal aid organizations in every state, the District of Columbia, and U.S. Territories. If you are looking for help you can find a legal aid organization near you.



## *American Nonsmokers' Rights Foundation - The Smoker Next Door*

<https://no-smoke.org/smoker-next-door/>

This resource lists tips about how to handle unwanted smoke in apartments or condominiums. The resource provides some background information, and instructions about effective communication as well as legal options.



## **Regional resources: property managers and residents**

Depending on your location, there may be regional resources available to assist you. The resources below are examples from select states.

**Local Resources  
can provide  
assistance tailored  
to where you live.**

## **Smoke-free housing programs**

Many regions of the country have smoke-free housing programs that advocate for and promote smoke-free housing. These programs can usually assist property managers as well as residents who experience secondhand smoke exposure in their multi-unit building. Use the Global Directory of Smoke-Free Housing Programs to find a smoke-free housing program near you:

[www.smokefreepublichousingproject.org](http://www.smokefreepublichousingproject.org).

Examples of local programs:

- Arizona Smoke-Free Living, American Lung Association in Arizona  
<http://www.AZSmokeFreeLiving.org>
- Oregon Smoke-Free Housing Project  
<http://www.smokefreehousinginfo.com/>

## Regional conflict resolution resources

Some cities and states have conflict resolution resources to help residents resolve differences with property managers. Examples:

- Nashville Conflict Resolution Center <https://nashvilleconflict.org/>
- Alabama Center for Dispute Resolution <https://alabamaadr.org/index.php>

## Regional legal resources

Smoke-free laws and landlord-tenant laws vary from state to state. Most states have online resources describing these laws. Examples:

- New York City - Information about smoke-free policies in New York City <https://www1.nyc.gov/nyc-resources/service/2493/smoking>
- Massachusetts - legal resources for individuals dealing with housing issues <https://www.masslegalhelp.org/housing>



### Get in touch with Clean Air for All

Whether you're a resident or property manager, secondhand smoke issues in your building can be overwhelming. Contact Clean Air for All for assistance. We can help you determine next steps and refer you to local resources.

#### Clean Air for All: The Smoke-Free Public Housing Project

For further support and resources, get in touch with Clean Air for All at:

651-646-3005 ext. 301

[info@smokefreepublichousingproject.org](mailto:info@smokefreepublichousingproject.org)

[www.smokefreepublichousingproject.org](http://www.smokefreepublichousingproject.org)

Created by the Live Smoke Free program ([www.mnsmokefreehousing.org](http://www.mnsmokefreehousing.org))  
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