



## Impact of smoke-free housing policy lease exemptions on compliance, enforcement and smoking behavior: A qualitative study

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### ABSTRACT

This paper investigates the impacts of smoke-free housing policies on compliance, enforcement and smoking behavior. From 2012 to 2014, we studied two affordable housing providers in Canada with comprehensive smoke-free policies: Waterloo Regional Housing that required new leases to be non-smoking and exempted existing leases, and Yukon Housing Corporation that required all leases (existing and new) to be non-smoking. Focus groups and key informant interviews were conducted with 31 housing and public health staff involved in policy development and implementation, and qualitative interviews with 56 tenants. Both types of smoke-free policies helped tenants to reduce and quit smoking. However, exempting existing tenants from the policy created challenges for monitoring compliance and enforcing the policy, and resulted in ongoing tobacco smoke exposure. Moreover, some new tenants were smoking in exempted units, which undermined the policy and maintained smoking behavior. Our findings support the implementation of complete smoke-free housing policies that do not exempt existing leases to avoid many of the problems experienced by staff and tenants. In jurisdictions where exempting existing leases is still required by law, adequate staff resources for monitoring and enforcement, along with consistent and clear communication (particularly regarding balconies, patios and outdoor spaces) will encourage compliance.

### 1. Introduction

There is no safe level of exposure to secondhand smoke (SHS) (U.S. Department of Health and Human Services, 2006), and homes are a major source, especially for children (Mbulo et al., 2016; Wilson et al., 2011). This is particularly relevant in multi-unit housing (e.g., apartment buildings and townhouses) where tobacco smoke can travel between living units (Kraev et al., 2009; King et al., 2010).

In Canada, almost all provinces and territories ban smoking in indoor common areas of multi-unit housing, but there is no legislation that addresses smoking in individual units or adjacent outdoor spaces, such as balconies and patios. Owners of residential buildings and condominiums, and homeowners who rent out self-contained apartments may, however, legally include “no-smoking” clauses in all new tenancy agreements by banning smoking in individual living units, including outdoor patios and balconies, or any areas of the residential property (Beck and Tilson, 2006).

Housing providers who implement a smoke-free housing policy are

required to manage existing tenancies in accordance with applicable provincial or territorial residential tenancy legislation. In Ontario, for example, existing leases or agreements must be exempted indefinitely from a new smoke-free housing policy, unless the tenant agrees to sign a new lease. However, Yukon legislation allows a housing provider to implement a new policy that applies to all tenants, whether they hold an existing or new lease. This has resulted in a range of smoke-free housing policies across Canada, from partial policies that cover only designated units within a tenant building to comprehensive policies that cover all units in a tenant building.

Several provincial housing authorities have adopted, or are in the process of adopting, smoke-free housing policies, including Yukon Housing Corporation, Newfoundland and Labrador Housing Corporation, and the Nova Scotia Department of Community Services (Reid et al., 2015). As of December 2017, 322 housing providers across 96 municipalities in Ontario had adopted or were in the process of adopting a 100% smoke-free policy including a few large Ontario jurisdictions (Waterloo and Ottawa) (Smoke-Free Housing Ontario, 2017).

Abbreviations: SHS, Secondhand smoke; WRH, Waterloo Region Housing; YHC, Yukon Housing Corporation

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There is little empirical knowledge on how different smoke-free housing policies impact the experiences and behaviors of housing providers and tenants. Our study investigated the impact of smoke-free policies in affordable housing with and without lease exemptions on policy compliance, enforcement and smoking behavior.

In Canada, affordable or subsidized housing (including social, public, community, non-profit or cooperative housing) refers to housing where rent is kept at an affordable level for residents, including subsidies targeted to reduce rents to less than 30% of before-tax household income (CMHC, n.d). An estimated 14% (557,435) of tenant households in Canada live in subsidized housing (CMHC, 2015). Housing affordability problems disproportionately affect seniors, recent immigrants, people who live alone, female lone-parent families, people who have experienced recent family changes (marriage, divorce, and the arrival of children), and people with a disability (CMHC, 2015). Studies suggest that exposure is higher among affordable housing tenants because smoking prevalence is generally higher among socio-economically deprived groups (Winickoff et al., 2010). Low socio-economic status households are also less likely to have smoke-free homes (Borland et al., 2006; Pizacani et al., 2004). Results from a nationally representative U.S. study showed that non-smokers with an annual household income of less than \$20,000 were 36% more likely to have elevated serum cotinine levels (a marker of SHS exposure) compared to those with an annual household income of \$20,000 or more (Ellis et al., 2009).

2. Methods

Two medium to large (500 or more units) affordable housing providers with comprehensive smoke-free housing policies were purposively selected: one that exempted existing leases and the other that did not. At the time of the study, Waterloo Region Housing (WRH) situated in Southwestern Ontario, was the only housing provider in Canada that had implemented a comprehensive smoke-free policy that applied to all new leases and that exempted existing leases. In 2012, WRH administered and maintained 2722 regionally-owned affordable housing units (about 150 properties) in five communities in the Region of Waterloo. The smoke-free policy was developed by Region of Waterloo Public Health (ROWPH) and WRH. In 2010, all new leases signed with WRH, in all buildings and properties, including living spaces, balconies and patios, were designated non-smoking. In accordance with Ontario's Residential Tenancies Act, 2006, existing leases were exempted indefinitely, meaning these tenants were permitted to smoke in their units and outside on their own balconies or patios for as long as they lived there. In partnership with ROWPH, free cessation support services were offered to tenants. (McCammon-Tripp and Stitch, 2010; Kennedy et al., 2015).

At the time of the study, Yukon Housing Corporation (YHC) was the only medium to large housing provider in Canada that had implemented a smoke-free housing policy in all of its buildings with no lease exemptions. YHC administered and maintained 615 social housing units in ten communities across Yukon, the majority of the units (397) were located in Whitehorse (YHC, 2013). The smoke-free policy was developed by YHC using a phased-in approach; all new tenants and new buildings were designated non-smoking in May 2011. Existing buildings and leases were given a grace period of about seven months before being designated non-smoking on January 1, 2012 (YHC, n.d). Private outdoor balconies and patios were exempted from the policy. This approach was permitted under Yukon's Residential Landlord and Tenant Act, 2012. YHC provided limited cessation resources on request for people who wanted to quit smoking, but did not offer coordinated cessation services.

2.1. Data collection

All research protocols were approved by the University of Toronto's Office of Research Ethics, and informed consent was obtained for all

participants. To ensure high quality and comprehensive reporting of focus group and interview methods, where possible, we applied the Consolidated Criteria and Checklist for Reporting Qualitative Research (Tong et al. (2007).

2.1.1. Tenant interviews

Face-to-face in-depth interviews with 56 tenants were conducted across both housing portfolios. A purposive sampling approach was used to target apartment-style buildings, and a balance of smoking and non-smoking tenants, across different housing communities. In WRH, we recruited tenants from five properties: three seniors buildings in Cambridge; an adult with no dependents building and a family building in Kitchener-Waterloo; and a seniors building in the Township of Waterloo. For YHC, we focused recruitment on the City of Whitehorse where most of the housing was located. We recruited from three properties: two for seniors and one for families.

Tenants were recruited primarily through flyers posted in housing buildings inviting current adult tenants to call a recruitment line. To increase the number of participants who smoked, some tenants were also recruited through postings in housing administrative offices, and word of mouth from front-line housing staff and other tenants. The number of interviews was based on data saturation (i.e., no new relevant knowledge was being obtained from new participants) (Tong et al., 2007), and feasibility. Overall, just over half (57%) of the tenants interviewed identified as non-smoking (Table 1), and most interview participants (70%) lived in buildings that primarily housed seniors (Table 2).

Interviews were conducted in meeting rooms within housing buildings, participants' units (on request), or local public spaces. Interviews were typically 45–60 min in length and were digitally recorded. A \$25 grocery gift card was offered to tenants as an incentive. Interview guides were pilot tested and customized for smoking status and policy type. Question areas included: lease type (i.e., smoking or nonsmoking for Waterloo tenants), smoking behaviour, perspectives about the smoke-free housing policy, experiences with compliance and enforcement; and impacts of the policy on smoking behaviour, tobacco smoke exposure, and social interactions.

2.1.2. Key informant focus groups and interviews

Focus groups were conducted with key informants involved in the development and administration of the smoke-free housing policies for WRH and YHC. Key informants were identified in collaboration with housing providers to ensure a full range of roles were represented, including housing directors, senior managers, building managers, facilities maintainers, community relations workers, and public health workers. An initial focus group invitation was sent to staff by email and the researchers followed up by phone to confirm participation. Focus groups were conducted during staff time in a convenient central location either at the housing offices or local health unit. Each focus group was 3 h long, conducted by two members of the research team using a discussion guide. Topics included challenges and enabling factors for policy development and implementation, experiences with enforcement, observations of tenant smoking behaviour, handling of complaints, benefits of the policy, and lessons learned. The focus groups were digitally recorded and one researcher took supplementary notes. No incentives were offered to key informants.

Table 1  
Tenant interview participants by housing provider and smoking status, Canada (2012–14).

Smoking status	Waterloo region housing, ON N = 30	Yukon housing corporation, YT N = 26	Total N = 56
Smoking	12	12	24 (43%)
Non-smoking	18	14	32 (57%)

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