



CLINTON COUNTY HOUSING AUTHORITY

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ATTENTION RESIDENTS!

NEW POLICY ANNOUNCEMENT SEPTEMBER 1, 2023

In accordance with the U.S. Department of Housing and Urban Development Public Housing Occupancy Guidelines, the Clinton County Housing Authority (CCHA) announces the following new policies:

LATE FEE POLICY

SMOKEFREE POLICY

The new policy is available for public review and comment during these dates:

SEPTEMBER 1, 2023 THROUGH SEPTEMBER 30, 2023

Written comments must be addressed to:

**CLINTON COUNTY HOUSING AUTHORITY
2023 POLICY UPDATES
369 LINDEN CIRCLE
LOCK HAVEN, PA 17745**

Once adopted by the Board of Directors, these policies shall become effective:

NOVEMBER 1, 2023

If you have any questions, please contact your local CCHA Office.

Clinton County Housing Authority
Jeffrey E. Rich, Executive Director

**CLINTON COUNTY HOUSING AUTHORITY
POLICIES**

LATE FEE POLICY

EFFECTIVE DATE: 11/01/2023

This policy regarding Late Fees supersedes all other references to Late Fees in all tenant documents.

The Clinton County Housing Authority (CCHA) Public Housing Lease requires Tenant Rent be paid on or before the first day of the month. Work Order charges are to be paid fourteen (14) days after the repair is completed. All other charges are due when posted to the tenant's account.

Any tenant account with unpaid rent on the 10th day of the month will be charged a Late Fee equal to ten percent (10%) of the past due rent balance. The minimum charge is \$1.00, and the maximum charge is \$50.00. Any tenant account with an unpaid balance on the 20th day of the month will result in a Notice To Quit (Eviction Notice) being issued to that household.

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POLICIES**

SMOKEFREE PUBLIC HOUSING POLICY

EFFECTIVE DATE: 11/01/2023

1. Department of Housing and Urban Development Rule

On November 29, 2016, the Department of Housing and Urban Development (HUD) adopted Rule RIN 2577-AC97, effective February 3, 2017, which requires every Public Housing Agency (PHA) administering public housing to implement a smokefree policy. Specifically, no later than 18 months from the effective date of the rule, each PHA must implement a “smokefree” policy banning the use of “prohibited tobacco products” in all public housing living units, indoor common areas in public housing, and in PHA administrative office buildings. The smokefree policy must also extend to all outdoor areas up to 25 feet from the public housing and administrative office buildings. Under the Rule, a PHA’s smokefree policy must, at a minimum, ban the use of all prohibited tobacco products, which are defined as:

- a. Items that involve the ignition and burning of tobacco leaves, such as (but not limited to) cigarettes, cigars, and pipes, and
- b. To the extent not covered by (a), waterpipes (hookahs).

Pursuant to the Rule, PHAs may, but are not required to, further restrict smoking to outdoor dedicated smoking areas outside the restricted areas, create additional restricted areas in which smoking is prohibited (e.g., near a playground), or, alternatively, make their entire grounds smokefree.

2. Purpose of Policy

This smokefree policy is intended to benefit the Housing Authority and all its public housing residents, visitors, and staff by mitigating:

- a. The irritation and known adverse health effects of secondhand smoke;
- b. The increased maintenance, cleaning, and redecorating costs from smoking;
- c. The increased risk of fire from smoking; and
- d. The higher costs of fire insurance for a non-smokefree building.

3. Definitions

“Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. “Smoking” also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form. “Electronic Smoking Device” means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such

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device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

4. All Buildings to be Smokefree

All public housing buildings and administrative offices shall be smokefree. Smoking is prohibited in all living units, including any associated balconies, decks, or patios, pavilions, and in the common areas of the buildings, including, but not limited to, community rooms, community bathrooms, lobbies, reception areas, hallways, laundry rooms, stairways, offices, and elevators.

5. Smoking on the Grounds of Buildings

Smoking is prohibited except in designated smoking areas located at least 25 feet from such buildings.

6. Applicability of Policy

This Policy is applicable to all residents, employees, visitors, contractors, volunteers, and vendors.

7. Responsibilities of Tenants

Tenants and household members shall be responsible to enforce this Policy as to their guests, invitees, and visitors to their residential units. Further, a Tenant shall promptly give the Housing Authority a written statement of any incident where tobacco or marijuana smoke, or vapor from an electronic cigarette, is migrating into the Tenant's apartment unit from sources outside the Tenant's unit.

8. Housing Authority to Promote Smokefree Policy

The Housing Authority shall post no-smoking signs at entrances and exits, common areas, and hallways, and in conspicuous places on the grounds of all residential and administrative office buildings. In addition, the Housing Authority shall provide copies of this Policy to all Tenants and prospective Tenants.

9. Right of Tenants to Sue Other Tenants Who Violate Policy

A Tenant may bring legal action against another Tenant related to this smokefree Policy, but a Tenant shall not have the right to evict another Tenant. Any legal action between Tenants related to this Policy shall not create a presumption that the Housing Authority failed to perform its responsibilities under the Policy.

10. Violations of Policy

A violation of this smoke free Policy shall be considered a material breach of the Tenant's Lease and grounds for enforcement actions, including eviction, by the Housing Authority. A Tenant who violates the Policy shall also be liable to the Housing Authority for the costs of repair to the Tenant's apartment unit due to damage from smoke odors or residue.

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11. Housing Authority Not Guarantor of Smokefree Environment

The Housing Authority's adoption of this smokefree Policy does not make the Housing Authority or any of its officers, employees, or agents, the guarantor of the health of any Tenant or of the smokefree condition of the portions of its properties in which smoking is prohibited under the Policy. However, the Housing Authority will take reasonable steps to enforce the Policy. The Housing Authority is not required to take steps in response to smoking in violation of this Policy unless the Housing Authority either has actual knowledge of the smoking and the identity of the responsible Tenant or has been given written notice of the smoking.

12. Housing Authority Disclaimer

The Housing Authority's adoption of this Smokefree Policy does not in any way change the standard of care that the Housing Authority would have to render buildings and premises designated as smokefree any safer, more habitable, or improved in terms of air quality standards than any other rental premises. The Housing Authority specifically disclaims any implied or express warranties that the building, common areas, or Tenants' premises will have higher or improved air quality standards than any other rental property. The Housing Authority cannot and does not warranty or promise that the rental premises or common areas will be free from secondhand smoke or vapor. The Housing Authority's ability to police, monitor, or enforce the provisions of this Policy is dependent in significant part on voluntary compliance by Tenants and their guests and visitors. Tenants with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that the Housing Authority does not assume any higher duty of care to enforce this Policy than any other Housing Authority obligation under the Tenants' Lease Agreement.