

What are the legal requirements of the Smoke Free Disclosure Policy?

1. Complete the steps of the designation process:

- Provide written notice to each existing residential tenant clearly stating the proposed initial designation of their unit as smoke free or smoking optional.
 - If the existing residential rental unit has a **current lease designating the unit as smoke free**, then the proposed designation shall be smoke free.
 - If the existing residential rental unit **does not have a current lease designating the unit as smoke free**, then the proposed designation shall be smoking optional,
 - Tenants in a unit with a proposed designation as **smoking optional may request that the property owner designate the unit as smoke free**. A property owner cannot change an existing lease unless the tenant requests a change during the designation process and only if the change is from smoking optional to smoke free. This ordinance does not change existing procedures for modifying leases once the unit is vacated.
- The property owner shall provide each existing residential tenant with at least 30 days to review the proposed designation and make comments, before finalizing the initial designation.

	Must complete the designation process by
Property owner of 50 residential rental units or less in the City and County of San Francisco as of January 1, 2013, or their successor(s) in interest	December 31, 2013
Property owners of 51 or more residential rental units in the City and County of San Francisco as of January 1, 2013, or their successor(s) in interest	December 31, 2014

2. **Develop and maintain a master list** that identifies the location of smoking optional units and notify tenants that this list is available upon request in the leasing office or from building management.
3. **Include in residential vacancy listings** the unit designation as smoke free or smoking optional.
4. **Provide a list to a rental applicant** showing the designation of units in the building that are smoking optional before offering a unit to that applicant;
5. **Disclose in writing to any rental applicant** whether the landlord has designated the unit for rent as smoke free or smoking optional prior to entering into a new lease or rental agreement.