

## CSW Associates Roanoke, LC

### Non-Smoking Policy and Related Reminders

All CSW property is non-smoking (buildings, halls, parking lots, etc.), except for the specifically Designated Smoking Areas located in each community.

The designation of non-smoking means the following:

- Lessees, occupants, guests, invitees, vendors and CSW employees or the like (collectively “persons”) may not smoke anywhere inside any apartment in the building, including but not limited to on the balcony of any apartment or the patio area in front of the building, or in any common area of the building
- Persons may not smoke in vehicles on CSW property
- Smoking is only permitted (with the exceptions noted below) in specifically designated outdoor areas in each community (“Designated Smoking Areas”).
- The Designated Smoking Areas have been provided, and must be kept clean and neat. Proper disposal of smoking materials is required. Improper disposal of smoking materials, or other littering, is subject to a \$50 fine per occurrence. Please report any issue in a Designated Smoking Area just like you would an issue in a common area. Residents are not permitted to smoke in a public road or on other nearby property in a way that impacts that could adversely impact the image of the property or the experience of other residents.
- “Smoking” includes all of the following as well as any similar activity to those items listed: tobacco or marijuana smoking, cigar/pipe smoking, vaping, hookahs, bidis and clove cigarettes, use of marijuana, cannabis, or similar substance in a form that emanates any smoke or smoke like residue, the use of smokeless tobacco, and the use of cigarettes
- The burning of incense or similar materials is prohibited
- E-cigarettes, even if they do not emit any smoke (or smoke like substance), are permitted at this time only in the Designated Smoking Areas
- As a reminder, persons are not permitted to grow any item that is ingestible on CSW property (vegetables, herbs, marijuana, etc.).
- Vaping or use in a combustible manner of any material that is not exclusively commercially sold and regulated tobacco is prohibited.
- The sale, use, or consumption of any illegal substance (whether prohibited at the state or federal level) is strictly prohibited and a Lease violation
- Permitted activities, such as tobacco smoking and e-cigarettes, remain subject to legal requirements (like minimum age)
- Smoking is strictly prohibited when done in any manner which creates a hazard or otherwise unsafe, or potentially unsafe, condition on CSW property (e.g. smoking with an oxygen tank in use)
- *The smoking, use or ingestion of marijuana or any cannabis product is strictly prohibited; such use is not permitted anywhere on CSW property, even in the Designated Smoking Areas.*

The failure to abide by the stated policy is a Lease violation and has additional penalties as follows:

- It is a lease violation, and CSW reserves all rights for a breach of the lease.
- It is subject to a special cleaning fee (per event) based on the following schedule: for instances in a specific apartment, the greater of (a) actual damages or (b) \$500 per person, per apt; and/or for instances in the common area, the greater of (x) actual damages or (b) \$750; if these fees remain unpaid and go to collections, you will also be responsible for any collection cost

- Any cleaning fees will be posted to your account and immediately due and payable.
- As a reminder, all leaseholders are jointly and severally liable for any lease violation, including a violation of this policy, and will be responsible for any smoking in his/her apartment, even if the person smoking is resident of another apartment; note that while the leaseholder will be subject to the cleaning fee, the building resident also will be in violation of his/her lease and subject to action under the lease.

CSW reserves the right to take steps to determine whether or not there has been a violation of this policy, including but not limited to the use of third-party testing. CSW will bear the cost of this testing, unless the testing shows a violation by the leaseholder(s) of this policy, in which case the leaseholder(s) will be responsible for any testing cost(s). CSW will select the methods and testing in its reasonable discretion, and may rely on the testing for determining lease violations.

It is important to understand that while there is a clear “no smoking” policy, CSW does not guarantee that CSW will be a completely smoke free environment. While CSW will take reasonable actions to enforce this policy, violations of this policy by your neighbors do not represent a breach of the lease by CSW. CSW reserves the right to take any reasonable steps to identify those who violate any aspect of the nonsmoking policy, including but not limited to inspections, testing samples and the like. You must do your part to help keep CSW smoke free, including promptly reporting with specificity any issues so that those can be addressed.