

Mayor's 'secret war' on smoking inside your apartment

10G bounty to ban cigs in your own home

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Posted: 1:19 AM, December 16, 2012

Mayor Bloomberg just won't butt out.

The city is recruiting foot soldiers for a stealth war against smoking cigarettes in your apartment, planning documents obtained by The Post reveal.

Community groups are being asked to convince tenants and property managers to turn their private buildings into butt-free abodes — the latest front in the Health Department and Mayor Bloomberg's anti-smoking crusade, according to a recently released "request for proposal" document.

The groups would "work with property managers, tenants, and others on adoption of voluntary smoke-free policies by housing entities reaching one to two multi-unit buildings (containing a minimum of 30 units total)," the document urges.

For their efforts, a community group will collect a \$10,000 bounty — paid for out of a Centers for Disease Control grant.

The secret salvo comes a year after the city banned smoking in parks and beaches, and after Bloomberg and Health Commissioner Thomas Farley said there were no plans to expand a butt ban to apartment buildings.

Released by the Health Department's nonprofit arm, Partnership for a Healthier New York City, the document solicits "neighborhood contractors" to "support and advance" its agenda in four separate areas of concern: tobacco, alcohol, exercise and diet.

Along with "improving community awareness and compliance with existing tobacco-related laws and regulations," groups are asked to promote "voluntary adoption of smoke-free policies to reduce tobacco use and exposure to secondhand smoke," the document reads.

The latest maneuver left critics fuming.

“They are liars!” charged Audrey Silk, founder of the Brooklyn-based Citizens Lobbying Against Smoker Harassment. “They acclimate the public to a ban, and then they go after the final frontier of our freedom — our homes!”

The city insisted there was no ban plan.

“The city is not banning smoking in private residences; as part of this federal grant, organizations can apply to fund projects that, among other things, educate the community on voluntary smoke-free housing policies,” Bloomberg spokesperson Samantha Levine said.

There are no laws prohibiting a landlord from banning smoking, according to real-estate lawyer **Adam Leitman Bailey**. Landlords need only change the language of the lease, and once it’s time to renew, the smoker can decide to move or stay.

Rent-regulated tenants who smoke are in luck: Landlords are stuck with the original lease signed with the tenant, and “none of these ban smoking,” he said.

Co-ops and condos that choose to ban smoking would need about 66 percent of tenants to approve, **Bailey** added.

The city banned smoking at most restaurants in 1995, and in 2002, Bloomberg inked the law banning smoking in bars and the bar area of restaurants.

Some welcome a ban in buildings.

“Then I wouldn’t have smoke complaints, so that would be a good thing,” said Paul Herman, president of the management division at Brown Harris Stevens. “But I don’t know how well New Yorkers would take to being legislated.”

The document notes that although the number of smokers in the city has dropped over the past 10 years, about 14 percent of adults (about 850,000) and 8.4 percent of high school students (about 18,000) still light up.

But a plan to attack other vices appears more vague: under alcohol, for example, contractors are simply asked to “engage” schools and churches “to facilitate learning and discussion about alcohol and its impact on their communities.”

Proposals are due tomorrow, and the city will notify winning proposals on Jan. 22. Contracts span about seven months, and can be renewed.