

Community Alliance of Tenants – Tenant Education

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Noise, Smoking and Neighbor Complaints

Oregon Landlord-Tenant Smoking Disclosure Law



Oregon tenants are protected by the Oregon Landlord smoking disclosure law, which requires landlords to provide their smoking policy in writing before a lease is signed. Renters will know for certain that they will be living in a healthy and safe smoke-free environment. Be sure to ask your landlord if you are not aware of the policy – you have the right to know.

The law states that any Oregon rental agreement must include a disclosure of the smoking policy for the premises on which the dwelling is located. The disclosure must state whether smoking is prohibited on the premises, allowed on the entire premises or allowed in limited areas on the premises. If the smoking policy allows smoking in limited areas on the premises, the disclosure must identify the areas on the premises where smoking is allowed. Rental agreements in which the owner of a manufactured dwelling or floating home secures the right to locate dwelling or home on real property of another are exempt from requirement. This act is also added to or made part of ORS 479.250 to 479.3002

Frequently asked questions about the law:

Q. What is a Smoking Policy?

A. A Smoking Policy simply states whether or not smoking is allowed on the property and if so, whether there are any restrictions as to where one can smoke on the property. It does not require landlords to restrict smoking, it simply mandates that landlords inform renters if and/or where smoking is allowed.

Q. Is it legal for my landlord to ban smoking on the property?

A. Yes. No-smoking rules are legal. Smoking is not protected under federal, state, or local fair housing laws; therefore, a landlord can have rules restricting it, just as they may have a “no-pets” policy.

Q. Why would a landlord have a no-smoking rule?

A. Many landlords adopt no-smoking policies to protect their properties from damage and fire hazards and to protect their residents from the effects of secondhand smoke.

Q. Why is this law good for renters?

A. This law gives renters the information they need to make an informed decision about where they will live. It assures that landlords and renters are in agreement about if and/or where smoking is allowed on the property. With this new law, you will know what to expect before you move in regarding smoking and the place you are renting. If you choose to smoke and want the freedom to do so in a rental home, you will know which properties allow this.

Q: Are there other smoking laws that relate to rental housing?

A. Under Oregon law, smoking is prohibited in all indoor common areas and anywhere an employee must enter as part of their duties, such as an office. Doorways, windows, vents and air intakes must be smoke-free within 10 feet of a building in Oregon.

For more information about the landlord disclosure law, go to www.smokefreehousinginfo.com