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# Smoke Free Condos: How We Restricted Smoking Inside Condominium Association Units and Declared Secondhand Smoke a Nuisance

Joyce Starr

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Dr. Joyce Starr

# SMOKE FREE Condos

How We Restricted Smoking  
Inside Condominium  
Association Units and  
Declared Secondhand Smoke  
a Nuisance.

Step-by-Step  
Guide

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#3076037 in Books Joyce Starr 2013-09-30 Original language: English PDF # 1 8.50 x .17 x 5.511, .23 #File Name: 098823947782 pages Smoke Free Condos How We Restricted Smoking Inside Units and Declared Secondhand Smoke a Nuisance | File size: 19.Mb

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before purchasing it in order to gauge whether or not it would be worth my time, and all praised *Smoke Free Condos: How We Restricted Smoking Inside Condominium Association Units and Declared Secondhand Smoke a Nuisance*:

2 of 2 people found the following review helpful. *Smoke Free Condos* is a classic - one of a kind. By Jenni Zemlock I bought this book, read it cover to cover and urge condo owners concerned about second hand smoke to do the same. I'm the President of GASP-Florida (Group Against Smokers Pollution) and have worked in this area for decades. This book is truly a breath of fresh air for our members and for all who suffer from second hand smoke in condominiums and homeowners associations. It's the perfect guide for condo owners who desire a smoke free environment. Rita Zemlock 0 of 0 people found the following review helpful. The gold standard on making a condo smoke-free. By Customer I previously worked for the American Lung Association under a health initiative designed to provide free assistance and consultation to management companies, condo owners, and condo boards on the benefits of restricting smoking inside the unit. While adult smoking is by far the minority, and nothing hurts the resale value of a condo more than tobacco smoke, when it comes to a community or association restricting smoking inside all the units, great difficulties amount. The casual argument between the smoker's rights vs. the nonsmokers was painstakingly a motif in board meetings I attended, mostly among nonsmokers, until I read this book. In short summary, Dr. Joyce Starr wrote this book as a catalogue of how she worked with her condo board and condo owners in changing the governing documents, making secondhand smoke a nuisance and restricting smoking inside the unit. Her work is essentially a guidebook (and may I say the gold standard) on how to successfully make these changes. Her book includes an interesting overview of case law that seems to favor the nonsmoker and points to the conclusion that there are no legally protected rights to smoke. While smoking is certainly not illegal, it also is not a right in the sense that there are laws protecting a person's right to smoke. It can best be considered as a privilege, much like driving, and like driving, it can be suspended or controlled if abused. The book also includes a copy of governing doc language and other tidbits that a board may find useful. For \$15, this book can easily save an association thousands of dollars in attorney fees. I wish to add something further...in Dr. Starr's case, changing the condo governing docs was a much harder task because unlike other states, Florida COA law requires a 67% consensus from all the condo owners. Not a simple majority of the voters, but 67% of all condo owners must vote in favor of an amendment in order for a change to take effect. Despite this setback, Dr. Starr got it done. Read this book and you will find out how to do it just as successfully. For those in the public health community that are considering this book as a resource, I highly recommend it. This book, along with her other magnificent work, "Secondhand Smoke Crimes" should be in your library. In fact, contact Dr. Starr directly via her personal website ([...]) for bulk orders. I have found that by providing this book to associations in advance of board presentations changes the dynamics of the meeting. For instance, questions become inquiries for more knowledge instead of accusations. 1 of 1 people found the following review helpful. Invaluable Smoke-Free Resource for Condos HOAs. By Marnie M. *Smoke-Free Condos* is an invaluable resource for condo associations and homeowners associations. Dr. Starr provides a clear, step-by-step process for amending a Governing Declaration to restrict smoking within units and to declare secondhand smoke a nuisance. She includes definitions and examples that reinforce critical points made in the text. Her fast-paced style makes it an enjoyable read. If you're trying to convince your Board or Association to adopt smoke-free policies, read this book and give them a copy! While *Smoke-Free Condos* deals specifically with changing governing documents related to secondhand smoke, Dr. Starr's formula can be applied to the modification of governing documents for any reason. It should be in the library of every condo and homeowners association in the country.

**Condominium Owners: Do you long for smoke free living? Do you wish you could convince your condominium board to restrict second hand smoke inside units?** *Smoke Free Condos* provides precise procedures for amending your condominium association declaration and documents for smoke free living. **Your Condominium Rights: The author addresses recent case and state law on secondhand smoke in condominiums, the Law of Nuisance, Quiet Enjoyment of Property and key amendment procedures.** She provides a detailed explanation of amendment milestones and costs. *Smoke Free Condos* is the first comprehensive guide for condominium associations and homeowners associations, community association law firms, nonprofit organizations promoting smoke-free policies and government agencies. **Second Hand Smoke: The author fought a four year battle against second hand smoke in her condo association.** After numerous setbacks, she was elected to her condo board, and thereafter as treasurer, where she led the effort to amend the Governing Declaration to restrict smoking inside units and to define secondhand smoke as a nuisance. A single misstep could have undermined the entire endeavor. According to available records, her medium-sized condominium complex was the first in Florida to amend the Governing Declaration for this purpose. The challenges and hurdles faced - and overcome - are vividly presented. "It was an uphill fight until the very last vote was counted, with a colorful cast of proponents, doubters and vigorous opponents. Naysayers warned that we would fail in the best of times, let alone during a difficult economy. Opponents stated with certainty that we would be sued and lose. They raised the specter of staggering legal costs that would sink the condominium association. Defending their castle, they compared the smell of secondhand smoke to garlic and bacon." Smoke free condo advocates typically confront fierce

opposition, including personal threats. For the author, backing down was not an option. Prior foes became supporters and one determined ally helped bring the vote across the finish line. Smoke-free amendments do not "magically" pass. This back story can help others succeed. Smoke Free Condos provides a critical path to smoke free multifamily housing. Author of 17 books, Dr. Joyce Starr is a sought-after condo rights expert and public speaker. Her works include: Defend Your Condo Homeowner Rights and Secondhand Smoke Crimes, (both available on Amazon).