



Smoking Complaint Process

Tobacco Control Program

Background

Jane lives in an apartment building. She notices that her neighbor smokes inside their unit. The secondhand smoke (SHS) comes into her apartment through the walls, windows, and vents. Jane finds out that smoking inside units and in shared spaces is not allowed in her city/county, so she decides to file a complaint.



01. Filing a Complaint

Jane fills out an online complaint form. She gets a confirmation email from the Tobacco Control Program (TCP). The email explains what will happen next and includes an SHS exposure log for her to start filling out.



02. First Warning/Educational Letter

If the complaint has enough evidence and information, TCP staff tells Jane that a first warning letter was sent to the neighbor responsible. Jane keeps logging any SHS she smells and sends the log back to the TCP staff after 3 weeks*.



03. Ongoing Monitoring

- (a) If there's no SHS after 3 weeks*, the case is inactive.
- (b) If SHS is still present, Jane updates her log and sends it to TCP. Jane is notified when a second warning letter is sent to the responsible individual(s), and Jane continues to log any SHS for 3 weeks.



04. Continued Secondhand Smoke (SHS)

3 weeks after* the second letter was sent:

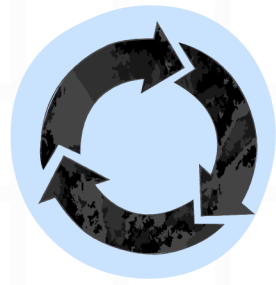
- (a) If there's no more SHS, the case is inactive.
- (b) If SHS is still present, Jane updates her log again and emails the TCP staff handling the case. Jane is notified when a third warning letter is sent, and Jane continues to log for 3 weeks.



05. Moving to Code Enforcement

After 3 weeks* of the third warning letter: Jane emails her updated log to the TCP Staff.

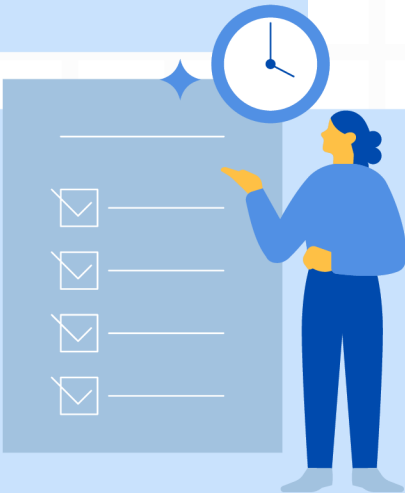
- (a) If there's no more SHS, the case is inactive.
- (b) If SHS is still present, Jane is asked if she wants to send the case to Code Enforcement. **When a case is sent to Code enforcement, the complaint will no longer be anonymous.**



06. Complaint Ends

- (a) If Jane agrees, Code Enforcement will be involved. They may give fines or notice of violations to the neighbors responsible. The fines increase if the smoking continues.
- (b) If Jane says no, the case is closed and marked as resolved.

*Note: Investigation of complaints, including responses from possible violators, may result in future warning letters being delayed more than 3 weeks.





Public Health Department

Alameda County Health

May 7, 2025

Kimi Watkins-Tartt
Director

Paul Cummings
Director, Tobacco Control
Program

1100 San Leandro Blvd
San Leandro, CA 94577

(510) 208-5920
TCP@acgov.org

Dear [REDACTED]

We are writing to inform you of complaints of a smoking violation our program received between April 22, 2025-May 7, 2025 regarding secondhand smoke (SHS) exposure believed to be emitted from your unit and balcony. Neighbors are experiencing the SHS and are unable to live safely and comfortably in their units. This is a violation of Alameda County's prohibition on smoking in and around multi-unit residences (Alameda County Municipal Code 6-74).

This letter is a first warning and requires that all smoking in your unit cease immediately.

The County's law prohibiting smoking and vaporizing of tobacco **and marijuana** is to protect all residents of multi-unit housing from the harms of drifting secondhand smoke. It requires that no one smoke in indoor common areas, in individual units or on balconies. Persons may be allowed to smoke outside if at least 25 feet from windows, doors, and other smoke-free areas.

Secondhand smoke contains combinations of over 70 carcinogens and accounts for over 41,000 deaths among persons who do not smoke annually. In multi-unit housing complexes drifting smoke can travel through windows, under doors, along pipes, through ventilation and electrical outlets. Ventilation and filtration systems are not effective against secondhand smoke and do not reduce health risks. One person's smoking behavior can have adverse health consequences for many residents in a building.

We want to prevent secondhand smoke exposure to non-smoking families to protect the health of all residents and ask that you assist us in this process. **After three warnings if smoking violation continues, the County Enforcement Department is contacted for assistance with enforcing the ordinance. Violating this ordinance may result in a fine of \$100, \$200 or \$500 dollars.**

If you are interested in quitting **tobacco/vaping/marijuana** use, please feel free to contact me for resources or you can also access this list of cessation resources, <https://tobaccofreealamedacounty.org/focus-areas/quit-tobacco/>

If you have other questions or concerns, **please feel free to contact me.**
Respectfully,

DocuSigned by:
Paul Cummings

Paul Cummings, Director Tobacco Control Program
(510) 208-5921-Paul.cummings@acgov.org



**Public Health
Department**
Alameda County Health

May 27, 2025

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1100 San Leandro Blvd
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[REDACTED]

[REDACTED],

We are writing to inform you of a complaint of a smoking violation our program received on May 19, 2025 regarding continued secondhand smoke (SHS) exposure from your unit. Neighbors are experiencing the SHS and are unable to live safely and comfortably in their units. **This is a violation of Alameda County's prohibition on smoking in and around multi-unit residences (Alameda County Municipal Code 6-74).**

This letter is a second warning and requires that all smoking in your unit cease immediately.

The County's law prohibiting smoking and vaporizing of **tobacco and marijuana** is to protect all residents of multi-unit housing from the harms of drifting secondhand smoke. **It requires that no one smoke in indoor common areas, in individual units or on balconies. Persons may be allowed to smoke outside if at least 25 feet from windows, doors, and other smoke-free areas.**

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**Public Health
Department**
Alameda County Health

July 30, 2025

[REDACTED]

[REDACTED],

We are writing to inform you of a complaint of a smoking violation our program received on July 18, 2025 regarding secondhand smoke (SHS) exposure believed to be emitted from your unit and balcony. Neighbors are experiencing the SHS and are unable to live safely and comfortably in their units. This is a violation of Alameda County's prohibition on smoking in and around multi-unit residences (Alameda County Municipal Code 6-74).

This letter is a third warning and requires that all smoking in your unit cease immediately.

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