

NOTICE TO RESIDENTS:

FAIRVIEW'S SMOKING POLICY:

Any lessee (shareholder) of the Building who smokes or allows any member of their household, their subtenants, or guests to smoke in their apartment must make arrangements with the Corporation's managing agent for the sealing of openings, outlets, holes and gaps between apartments and the installation of weather stripping to main hallway doors and if applicable terrace and balcony doors. Should the Board of Directors of the Corporation determine that despite these remedial measures smoke continues to infiltrate neighboring apartments or enter common area hallways of the Building, upon written demand by the Board of Directors, the lessee must within thirty (30) days of notification install an air purification system in their unit which must be approved by the Board of Directors or the Corporation's managing agent as to model and method of installation.

Additionally, should any neighbors of a lessee complain, there shall be no smoking on any terraces or balconies appurtenant to an apartment.

For the purposes of this provision, the term "smoke" or "smoking" means using a cigarette, cigar, pipe, hookah, bong or the like containing tobacco or a similar product or marijuana or other heated plant product, whether natural or synthetic, which is lit with a flame or using an electronic smoking device such as e-cigarettes, vaping and the like.

Where it is determined that smoking is ongoing in any apartment and (i) where after by demand by the Board of Directors a lessee has failed to install an air purification device, or (ii) where the lessee has installed an air purification device but the Board of Directors continues to receive complaints from neighboring lessees or their tenants of an offensive secondhand smoke condition, or (iii) where the Corporation continues to receive complaints from neighbors of offensive smoke emanating from the lessee's apartment, the Board of Directors shall be entitled to declare a default under the lessee's proprietary lease for the apartment and pursue all available remedies at law and equity.

Nothing contained in this policy shall be deemed to abrogate the right of the Board of Directors to pursue any other remedy available to it at law or equity based upon offensive smoking.