

Marijuana

- Apartment owners and operators must be empowered to protect their communities and residents as much as possible within legal frameworks.
- State laws should set clear expectations for owners and residents and carefully balance the risks associated with permitting an illegal substance on community property.
- Legislation that permits medical marijuana should consider that smoking can be a health hazard and/or nuisance to other residents and staff. Owners need guidance when it is required to balance the needs of a qualifying patient against the rights of others.
- Policymakers must work with industry leaders to minimize confusion as they develop applicable regulations.
- Regarding home cultivation, research shows that growing marijuana indoors increases the level of mold spores to ten times the amount found in outdoor samples.¹
- Exposure to mold can cause serious health issues and may lead to serious upper respiratory tract problems.²
- While the national trend toward relaxing marijuana policy at the state level is clear, policymakers should remember marijuana remains illegal under federal law.
- Marijuana remains classified as a Schedule 1 drug under federal law, as listed in the Controlled Substance Act.³
- The U.S. Department of Housing and Urban Development advises owners of federally funded properties to deny admission to any resident or member of the household who uses illegal substances, as defined in the Controlled Substances Act.⁴
- State law must make safe harbors clear, allowing owners to prohibit the use of marijuana on properties and ensuring that owners are able to keep their federal funding or tax status.

¹ Martyny, John W., et al. "Health Effects Associated with Indoor Marijuana Grow Operations." Colorado Drug Investigators Association, www.cdiausa.org/html/Press%20report%20_1b.pdf

² "Mold." *Centers for Disease Control and Prevention*, Centers for Disease Control and Prevention: www.cdc.gov/mold/dampness_facts.htm

³ "Drug Scheduling." *DEA*: www.dea.gov/drug-scheduling.

⁴ Metcalf, Benjamin T., "Use of Marijuana in Multifamily Assisted Properties." *HUD*: <https://www.hud.gov/sites/documents/USEOFMARIJINMFASSISTPROPTY.PDF>