

Medical Cannabis Advice for Landlords, Co-ops, and Condos

Accommodations for medical cannabis **must** be made on a case by case basis. However, the default is not smoking in the unit. There are other types of accommodations which might include: (keeping in mind that accommodation is fact specific and needs to address the actually disability-related needs of the person being so accommodated)

- Smoking outside
- Using a vaporizer
- Using a tincture
- Taking it in pill form
- Edibles

To justify smoking a number of things would normally need to be established including:

- a. Smoking is the prescribed method the patient is to consume cannabis to achieve the desired therapeutic effect for the treatment of a disability or disability related symptoms – medical evidence can be requested
- b. Locating outside is too much of a hardship (e.g. the person is not ambulatory)

If the above is established, the Housing Provider would need to consider accommodation measures to the point of undue hardship.

So the bottom line is that a housing provider must provide an accommodation but this does not **necessarily** mean the person has the right to smoke in their unit.

Also, it is important to remember that challenges may arise regardless of whether they have any basis. To avoid litigation, some housing providers may simply allow smoking of cannabis if medical status can be demonstrated.

