

[First name Last name]
[Address]
[Postal code, Locality]
[Telephone number]
[Email address]

[Date]

[Recipient's name]
[Name of residential management company]
[Address]

Nuisance caused by secondhand smoke in the home

Madame, Sir,

I am writing to draw your attention to a situation that is becoming increasingly burdensome for my family and me, and is seriously affecting our quality of life. For several months now, cigarette smoke has been regularly entering our home at [address / apartment number], specifically from [e.g. "neighbouring apartment No. X" or "the balcony of apartment No. Y"].

The smoke is particularly noticeable during [e.g. evening hours between 5:30 PM and 10:00 PM, as well as on weekends]. It enters primarily through [e.g. the bedroom window and the ventilation duct], severely limiting the use of certain rooms. Despite our own measures—such as [e.g. sealing gaps, using air purifiers, and regular airing out]—the problem has not been resolved. Unfortunately, direct communication with the neighbours involved has not led to any improvement in the situation.

Cigarette smoke is already affecting our health. [For example: We suffer from headaches, eye irritation, and breathing difficulties—particularly our child, who has developed a persistent cough. The child's bedroom is virtually unusable in the evening because the smoke is especially noticeable there. Furthermore, the need for constant ventilation, particularly during the cold months, leads to a significant increase in heating costs.] Moreover, it is well established that secondhand smoke increases the risk of respiratory diseases, cardiovascular disorders, and other health problems, especially among children, the elderly, and individuals with pre-existing medical conditions.

We are aware that smoking in one's own home is generally permitted. Unfortunately, due to the building's layout, smoke freely enters our apartment. We therefore respectfully ask you to consider the following measures and, if possible, to implement them:

1. Analysing and confirming the source of the smoke.
2. Implementing measures to prevent smoke from entering our homes—for example, through improved sealing or adjustments to the ventilation system.
3. Considering the possibility of introducing a smoking ban in common areas or creating non-smoking zones in order to protect all residents.

In this context, we wish to point out that, pursuant to Article 259a of the Swiss Code of Obligations (CO), the landlord is required to remedy defects that prevent the proper use of the dwelling. Furthermore, Article 257f CO imposes an obligation on all tenants to show due consideration for their neighbours.

We sincerely hope to count on your support in finding a solution satisfactory to all parties. We remain available to discuss the matter or to arrange a site visit with the relevant parties. Please inform us in writing, within [e.g. 14 days], of the measures you intend to take regarding this matter. Should we not receive a response within this timeframe, we will be compelled to seek assistance from the Swiss Tenants' Association or the competent authorities.

We thank you in advance for your attention and understanding, and remain,

Yours faithfully.

[Your name]

[Your signature]