

German court rules heavy smoker must vacate flat

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A German court ruled Thursday that an elderly smoker must vacate his home of around 40 years after neighbours complained about his cigarette smoke.

Friedhelm Adolfs, 75, has until the end of the year to clear his flat in the western city of Duesseldorf after his appeal against a previous court decision failed.

The city's [district court](#) said that smoking by a tenant in a flat was not grounds by itself for eviction.

But it said that the pensioner had not tried to prevent [cigarette smoke](#) from seeping into the communal hallway of the [apartment building](#).

He had failed to adequately air his flat and empty his ash trays, it said.

His landlady had verbally warned Adolfs several times in 2012, it added.

The pensioner can still take his case to the [federal court](#) of justice.

His legal battle has made headlines in Germany, making him the country's second best-known smoker after Helmut Schmidt, the 95-year-old ex-chancellor known for chain-smoking even on TV.

The last of Germany's 16 states made lighting up in bars and restaurants largely illegal from July 2008.

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