



7 February 2016

Ministry of Business, Innovation and Employment
PO Box 1473
Wellington 6140
Attention: Residential Tenancies Regulations submissions

Re: Residential Tenancies Regulations submission

Tena koe

Thank you for the opportunity to make a submission on the Residential Tenancies Regulations. Regional Public Health (RPH) delivers population and personal health services in the greater Wellington region. Our geographical area of service delivery spans Hutt Valley, Capital & Coast and Wairarapa DHBs. We deliver a range of population and personal health services, aiming to improve the health of communities throughout the greater Wellington region.

In particular we focus on achieving equitable health outcomes for high needs groups such as Māori, Pacific peoples, child and youth, low income families and other vulnerable groups.

We deliver a healthy housing programme (Well Homes) as part of the Ministry of Health's Rheumatic Fever Prevention Programme. The housing programme aims to reduce crowding and assist occupants with making their homes warmer (access to insulation grants and curtains) and drier (education around ventilation and how to reduce and treat mould).

As part of our work with Well Homes, our nurses and providers see many homes in disrepair. We are often seeking levers to influence landlords to improve the standard of their homes. RPH supported Porirua City Council (PCC) calling for tighter regulations around minimum standards for homes. RPH and PCC would like to work together with MBIE to find ways of better utilising existing legislation to improve housing quality. As part of this submission we would like to invite a MBIE representative to join us on a cross agency group that will look at implementing the existing legislative levers to improve housing quality for tenants.

We would be available to speak to this submission if the opportunity is available.

The contact point for this submission is:

Kiri Waldegrave
Senior Public Health Advisor
Email: Kiri.Waldegrave@huttvalleydhb.org.nz
Phone: 04 570 9130

Kind regards

Dr Jill McKenzie
Medical Officer of Health

Peter Gush
Service Manager

Key question 1: How many smoke alarms should be required and who needs to provide them?

Question 1A: If smoke alarms are required in all rental properties, do you support the minimum requirement of one alarm within 3 metres of each bedroom (and in a multi-level unit, there must be a working smoke alarm on each level)? If you don't support the proposal, what minimum requirement would you propose and why?

Regional Public Health supports the New Zealand Fire Service's recommendations for placement of smoke detectors and that these are implemented.

Key question 2: What kind of alarm?

Question 2A: Do you agree with the proposal to require long life alarms that ensure lives and properties are protected more consistently? If not, what would you propose and why?

RPH supports requirements for long-life smoke detectors to be installed and maintained by landlords.

Key question 3: What is the benchmark for requiring residential rental properties to insulate?

Question 3A: Do you agree with the proposal to allow rental houses with insulation that is in good repair, but does not meet the current Building Code requirements for new builds, to meet the 1978 standards? If not, what minimum level of insulation would you propose and why?

RPH supported the Auckland Regional Public Health Service (ARPHS) submission on the Residential Tenancies Amendment Bill. In this submission they advocated and we continue to support the following:

1. ARPHS and RPH support requiring all rental housing to meet the 2008 insulation standard. This would provide significant benefits in terms of thermal performance, energy efficiency and health effects at only small additional cost over the 1978 standard. For example, insulation using R3.2 materials rather than R1.8 adds less than \$500¹ to insulation of a 100 m² house, i.e. less than 2 weeks rent in many parts of Auckland and the Wellington region.
2. Insulation should be installed and certified by a trained installer, to ensure fire and electrical safety requirements are met.
3. Where insulation cannot be installed because of the building's structure, the landlord should be required to install high efficiency heating in order to achieve similar indoor temperatures without substantial energy cost to the tenant. We note that the Housing Improvement Regulations require provision of an "approved" form of heating or a fireplace in every living area.

Question 3B: Do you agree with the proposal to require houses with insulation that is incomplete, damaged, damp or degraded to be retrofitted?

RPH supports the requirement for houses with absent or faulty insulation to be retrofitted in the ceiling and roof to the level required in the Building Code.

¹ Based on retail cost of insulation materials. Costs differences for commercial installers is likely to be less because of bulk purchase. Net cost to landlords will be less because these costs are a business cost.

Question 3C: As a landlord/tenant – do you understand the proposed requirements and would you feel confident checking that your rental property or the property you rent meets them?

Our experience through running the Well Homes Healthy Housing Project and a Healthy Housing Assessment Service indicates tenants may not feel confident or have the equipment required to check insulation.

Similarly if landlords have access to free services that can assess this for them, their preference is to use this service. This is especially true if the landlord is living in a different city or overseas.

Key question 4: Which houses should be exempt?

Question 4A: Are there properties that would be exempt under these proposed changes that should be included in the requirements?

RPH is unclear as to whether boarding houses would come under the requirements of this legislation. We advocate that if they do not that they are included to protect the health of vulnerable people living in boarding houses. RPH supports the requirement for houses with absent or faulty insulation to be retrofitted in the ceiling and roof to the level required in the Building Code. Where this is not practical RPH strongly advocates that the landlord invest in a high efficiency fixed heating system.

Question 4B: Are there other properties that should be excluded from the requirements? Why?

No comment.

Key question 5: If you have to insulate what standard should be required?

Question 5A: Do you support the proposal to require that when new insulation must be installed, it should match the current installation standard required for new builds or alterations under the Building Code? If not, what standard do you think should be required?

Yes. RPH supports the proposal to require new insulation to match the current legislation standard.

Key question 6: What are the biggest risks of the proposal and how do we mitigate them?

Question 6A: Do you have any comments on the risk of incorrect installation and effects on the rental market?

1. RPH supports all measures to increase safety in the installation of insulation.
2. Our experience working with families on lower incomes indicates in the face of increasing accommodation costs, households are often forced to compromise on housing size, quality and/or location (resulting in overcrowding, substandard conditions and higher transport costs) and/or spending on health, education, food, clothing or other essential goods and services². Increased rent as a result of compliance with these regulations would adversely affect these families and mitigation measures should be considered.

² This is also indicated in the ARPHS submission on the Residential Tenancies Amendment Bill

3. We would suggest investigating a non financial reward scheme for landlords that comply with the new regulations. For example a star rating scheme similar to the *STAR scheme* initiated by Dunedin City Council, Otago University and Otago Polytechnic. The rating system aimed to better inform student tenants, and reward good landlords. The *STAR scheme* ratings are based on information provided by landlords on:
- Fire safety
 - Security
 - Insulation
 - Heating and ventilation

Question 6B: Are there other risks you think are significant? If so, what are they and how should Government deal with them?

No comment.

Question 6C: Do you think the proposal reduces the risks enough? If not, how would you reduce them?

No comment.