



24 March 2020

Submission to the Social Services and Community Committee: Residential Tenancies Amendment Bill

The New Zealand College of Public Health Medicine would like to thank the Social Services and Community Committee for the opportunity to make a submission on the Residential Tenancies Amendment Bill (the Bill).

The New Zealand College of Public Health Medicine (the College) is the professional body representing the medical specialty of public health medicine in New Zealand. We have 223 members, all of whom are medical doctors, including 185 fully qualified Public Health Medicine Specialists with the majority of the remainder being registrars training in the specialty of public health medicine.

Public Health Medicine is the branch of medicine concerned with the assessment of population health and health care needs, the development of policy and strategy, health promotion, the control and prevention of disease, and the organisation of services. The NZCPHM partners to achieve health gain and equity for our population, eliminating inequities across socioeconomic and ethnic groups, and promoting environments in which everyone can be healthy.

General Statements

Housing is a key determinant of health and an important mediating factor in health inequalities and poverty.^{1,2} The health consequences of inadequate housing include: communicable diseases such as rheumatic fever as a consequence of overcrowding, injuries and falls due to home hazards and lack of safety devices, respiratory events due to temperature extremes and air pollution and respiratory illness linked to damp, mould and unflued gas heaters. Insecure and/or unaffordable housing is also known to be a mental health stressor and housing type can affect social cohesion, trust and sense of community.¹

In New Zealand a disproportionate number of people on low incomes live in older housing stock, with Māori and Pacific peoples over-represented in low-income households in areas with poorer quality housing.^{1,3,4} Many New Zealand families share accommodation with other families to save money because they cannot afford adequate housing, which leads to overcrowding. Housing unaffordability and subsequent overcrowding contributes to the relatively poor health of New Zealand children.

In a study of Māori renters in Wellington, tenants reported facing a number of challenges when finding a rental home, including experiencing discrimination, experiencing insecure housing situations and living in fear of becoming homeless.⁵ Māori renters also described issues with substandard housing such as damp and mould as well as safety issues caused by disrepair and lack of

safety features like fire alarms. They reported being unable to use the Tenancy Tribunal system due to information and time barriers, fear of retribution from landlords and the impact on their reputation for future rental applications.⁵

The College supports the Bill's intention to increase the security of housing tenure for tenants who are meeting their obligations. We see housing stability as an important part of a stable living environment which facilitates children's educational attainment, regular access to health care, household connectedness and community connectivity.

Specific issues

Improving tenant's choice and control over tenancy

Insecure housing may give rise to feelings of vulnerability amongst renters and has negative effects on health and wellbeing.⁶ Secure housing is especially important for families with young children and the elderly as it provides a stable living environment. Multiple changes of address may adversely affect children's educational outcomes and access to healthcare; infrequent contact with health services may result in health concerns going unnoticed and untreated. Household stability also facilitates household connectedness and promotes neighbourhood relationships and community connectivity.⁶

Therefore, the College supports the provisions in the Bill, under clauses 31 to 33, 35 to 36 and 39, that promote greater control for tenants over their rental agreement, for example by removing the use of no cause terminations and requiring the use of a justified reason to end a periodic tenancy.

Setting and increasing rents

Housing affordability is an important determinant of physical and mental health and wellbeing, particularly for those individuals residing in low to moderate income households; without affordable housing many would end up homeless.^{7, 8, 9} In New Zealand lots of families share accommodation in part due to unaffordable rental prices and as a consequence many live in over-crowded living situations. Crowded living conditions facilitate the spread of infection, such as meningococcal disease, tuberculosis and group A streptococcal throat infection which can lead to rheumatic fever.

Rheumatic fever has been largely eliminated from most other OECD countries but with longstanding high rates of rheumatic fever in vulnerable population groups, New Zealand is a clear outlier among comparable nations.¹⁰ Rheumatic fever disproportionately affects Māori and Pacific children and young people aged 4 to 19 years living in low socio-economic areas of the North Island and/or in crowded households. This inequity is unacceptable and improving the affordability of New Zealand's housing stock is a key aspect of addressing this inequity.¹⁰

Clauses 17 and 19 pertain to rent. Clause 17 prohibits landlords from advertising a tenancy without outrightly stating the rental amount and prohibits the landlord from encouraging rental bids from prospective tenants. Clause 19 reduces the frequency of rent increases to no more than once every 12 months. While these clauses don't directly impact on housing affordability, they will offer greater certainty around rent, and will protect tenants from exploitation. The College therefore supports these clauses.

Information on compliance with the Residential Tenancies (Healthy Homes Standards) Regulations 2019

The Healthy Homes Standards provide the minimum basic standards that a property must meet to ensure healthy homes for occupants.¹¹ In Clause 27 of the proposed Residential Tenancies Amendment Bill landlords will be required to provide tenants with information on compliance with the Healthy Homes Standards when requested by tenants. The College notes that this is a step towards ensuring compliance with the Standards but that it puts the responsibility for requesting the information onto the tenants. We believe that this information should always be provided to prospective tenants, as an attachment to the tenancy agreement, and call for Clause 27 to be amended to this effect.

Remove a disincentive for parties to use the Tenancy Tribunal

When a tenant takes a landlord to the Tenancy Tribunal, they may be risking future applications for rental properties as some landlords will screen applicants based on the online database of Tenancy Tribunal proceedings. This risk may also discourage tenants from taking their landlord to the Tenancy Tribunal in the first place. Clause 51 protects tenants by requiring that the Tribunal suppress the name or any identifying particulars of any witness or party, if the party applies for that kind of order. The College therefore supports Clause 51 of the Bill.

Other

The Bill clarifies the rules about tenants making minor changes to premises such as installing fitting brackets to secure furniture and appliances against earthquake risk, baby-proofing the property, installing visual fire alarms etc. The College is pleased to see this included in the Bill, as this will improve the safety of premises.

Thank you for the opportunity for the NZCPHM to submit on the Residential Tenancies Amendment Bill. We hope our feedback is helpful and are happy to provide further clarification on matter covered in this submission.

Sincerely,



Dr Felicity Dumble, President, NZCPHM

References:

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