

31 March 2020

Committee Secretariat  
Social Services and Community Committee  
Parliament Buildings  
Wellington

Tēnā koutou

#### **DUNEDIN CITY COUNCIL SUBMISSION: RESIDENTIAL TENANCIES AMENDMENT BILL**

1. The Dunedin City Council (DCC) appreciates the opportunity to submit on the Residential Tenancies Amendment Bill. The Select Committee is asked to note that Council's engagement on this issue has been truncated by the COVID 19 events. The DCC requests the opportunity to speak to the committee on the DCC submission, to provide more specific feedback on the Bill when we present.
2. The availability of affordable and high-quality housing is one of Dunedin's most pressing problems, largely as a result of a recent significant increase in population growth. The demand for housing is expected to continue as major redevelopments in the city, such as Otago University's capital works programme and the hospital rebuild, get underway.
3. The DCC supports the Government's intentions to reform the Residential Tenancies Act to make it fit for modern renting situations in New Zealand, while also balancing the rights and obligations of tenants and landlords.
4. In particular, the DCC is supportive of:
  - Amendments preventing landlords unreasonably withholding consent for tenant fixtures (Section 42A addition) or minor changes to a property (Section 42B addition). The DCC sees these as good steps to ensuring tenants have the opportunity to turn their house into a home
  - Amendments which protect a tenant from regular increases in their rent by restricting increases to once in a 12 months period (Section 24 amendment)
  - The removal of letting fees (Section 17A amendment)
  - The prohibition of rental bidding in the rental market (Section 22G addition).
5. Section 55A (2)(a) states that in order for any landlord to terminate a tenancy on the grounds of anti-social behaviour that there must be at least three separate occasions of anti-social behaviour within a 90-day period. The DCC recommends that this section is reconsidered so the Tenancy Tribunal is given the ability to consider an order for a 90-day notice on a case by case basis, rather than requiring the three incidents. This would give the Tenancy Tribunal the

authority to consider both the number of anti-social behaviour incidents and the severity of incidents that have occurred. This change allows the landlord to better protect the health and wellbeing of other tenants living in close proximity to the tenant displaying the anti-social behaviour.

6. The DCC acknowledges the power imbalance between landlords and tenants, and although this legislation goes some way to remedy that, the nature of the Tenancy Tribunal process puts the onus on tenants to overcome the imbalance should they wish to challenge legislative and regulatory breaches. The DCC submits that whatever changes are made to the Residential Tenancies Act, adequate resourcing is allocated to ensure that enforcement doesn't continue to rely on this approach.
7. Dunedin City like many urban centres around New Zealand is facing a housing crisis. This housing crisis is having a significant impact on the Dunedin rental market's affordability and availability. The DCC is a large provider of affordable rental homes in Dunedin city, and would like to see a greater push from central Government to explore mechanisms that support and incentivise affordable rental housing. The DCC encourages the Select Committee to give consideration to how this could be achieved, for example the inclusion of local authorities as eligible community housing providers in order to encourage more housing of this nature.
8. The DCC supports central Government's other housing initiatives similarly aimed at improving the living standards for renters in New Zealand, such as the Healthy homes Guarantee Act. The DCC recognises the key to maintain a healthy liveable home is both a landlord and tenants' responsibility. The DCC suggests the Select Committee explore options for how landlords could be encouraged to upskill tenants on how to maintain a healthy home at the commencement of a tenancy agreement, for example landlords providing educational material on the importance of ventilation.
9. Thank you again for the opportunity to submit.

Yours faithfully

Aaron Hawkins

**MAYOR OF DUNEDIN**

A handwritten signature in black ink, appearing to read 'Aaron Hawkins', with a stylized, flowing script.