# **HEALTHY HOMES STANDARDS: PROACTIVE Q&A**

1. **What do the standards cover?**

The healthy homes standards will set minimum requirements for heating, insulation, ventilation, draught-stopping, drainage and the control of moisture in residential rental properties.

1. **How have these standards been chosen?**

The proposed standards focus on minimum requirements for building elements that will make homes warmer and drier and deliver the greatest benefit to tenants and wider society, without imposing an unreasonable burden and cost on landlords.

1. **Why do the standards only apply to rental properties?**

One-third of New Zealand households (nearly 600,000) rent, and rental homes tend to be older and of poorer quality than owner occupied dwellings.

Renters have less autonomy to make improvements to their homes than owner occupiers, and maintaining and improving the quality of the dwelling is the responsibility of the owner. While many landlords appropriately maintain their properties, there are some who do not, leaving tenants living in cold, damp homes. The Government therefore is committed to improving the quality of rental properties so families living in rental properties are happier and healthier.

1. **How will the standards make life better for renters?**

The healthy homes standards will make it easier for renters to achieve a warmer, drier home, helping to reduce mould and damp and the potential for health conditions that can result from living in poor quality homes.

1. **What will the standards mean for landlords?**

Once the standards for heating, insulation, ventilation, moisture control, and draught stopping are in place, landlords will need to check whether their rental homes meet the standards. Some landlords may need to take steps to bring their properties up to the appropriate standards. For example, they may need to install new heating devices or extractor fans in certain rooms.

The discussion document seeks feedback on the timing and phasing for when landlords must comply with the standards.

1. **How do the healthy homes standards fit with the Residential Tenancies (Smoke Alarms and Insulation) Regulations?**

The healthy homes standards build on existing requirements for rental homes (for ceiling and floor insulation and smoke alarms), which came into force in 2016 under the Residential Tenancies (Smoke Alarms and Insulation) Regulations. Landlords must comply with these requirements (i.e. install ceiling and underfloor insulation and adhere to the smoke alarm rules) by 1 July 2019. The proposed new healthy homes standards do not change these obligations or the deadline to comply with them. Through the discussion document, we are consulting on whether more rental homes should have their insulation upgraded.

1. **Will there be any exemptions or exceptions to the standards?**

There may be exemptions in cases where it is not reasonably practicable to meet the requirements, such as where there are access issues that prevent the installation of insulation or where homes have been specifically designed to meet high quality standards (e.g. passive design homes that can achieve an appropriate indoor temperature without heating devices).

1. **Who do the standards apply to?**

The healthy homes standards apply to all landlords (including both public housing and private landlords).

1. **What responsibilities will landlords and tenants have?**

Under the Residential Tenancies Act 1986, landlords are responsible for ensuring their rental properties are in a reasonable state of repair. Consistent with these responsibilities, compliance with the healthy homes standards will be the responsibility of the property owner, and the standards do not place any obligations on tenants. However, tenants do have an important role to play in keeping their home warm and dry through heating and ventilating appropriately.

1. **How will the standards be enforced?**

MBIE’s Tenancy Services Compliance and Investigation team will be able to inspect properties to ensure compliance with the standards. The team’s expanding capacity will enable them to undertake 2,000 risk-based interventions every year.

Tenants also have the right to inspect their own rental home to ensure it complies with the standards, or they may wish to bring in a third-party such as an insulation, heating or building professional to undertake an inspection. In serious cases, a tenant may ask MBIE’s Tenancy Services Compliance and Investigation team to investigate.

1. **Will there be penalties for not complying with the standards?**

Landlords that fail to comply with the healthy homes standards may be liable for a financial penalty.

If a tenant believes their landlord has not complied with the standards, they should first approach their landlord. If the issue is still not resolved, the tenant can apply to the Tenancy Tribunal for a mediation and/or hearing. Mediation is an opportunity for both parties, with the assistance of a skilled mediator, to come to an agreement to resolve the issue. MBIE can also investigate suspected non-compliance and take cases to the Tenancy Tribunal when a tenant has not complained.

The Tribunal has the ability to order the landlord to undertake work, award compensation and impose a financial penalty of up to $4,000 that is normally payable to the tenant. A landlord cannot evict a tenant for raising issues about the standard of a rental property.

1. **What will the cost of compliance be for landlords?**

The cost to landlords will vary depending on the final standards, a property’s characteristics (e.g. size, age, condition), and the amount of work required to bring each property up to the minimum requirements.