



11 October 2021

File No. DOIA 2122-0628

Colin L Campbell

Email: fyi-request-16674-437cb68e@requests.fyi.org.nz

Dear Colin

On 14 September 2021, the Ministry of Business, Innovation & Employment (MBIE) accepted from the Ministry of Housing and Urban Development (HUD), a transfer of your request for information regarding the Healthy Homes standards.

This request was transferred to MBIE in accordance with section 14 of the Official Information Act 1982, as the request is more closely connected with the functions of MBIE.

For clarity, I have addressed each part of your request below.

1. *Does HUD have any responsibility for monitoring housing standards? Please detail them in broad terms (reference to online information is acceptable).*

HUD have delegated the administration of the Residential Tenancies Services to the Ministry of Business, Innovation & Employment. The Tenancy Compliance & Investigations Team (TCIT) that sits within Tenancy Services (part of MBIE) monitors and enforces compliance with the RTA. This includes (in respect of residential tenancies covered under the jurisdiction of the RTA) ensuring compliance with the healthy homes standards, and all requirements in respect of buildings, health and safety that apply to the premises.

2. *If HUD has no responsibilities for housing standards in any way then please indicate who in the government is responsible.*

In terms of tenancies covered under the RTA, TCIT which is part of Tenancy Services at MBIE, is responsible for monitoring and enforcing the relevant provisions of the RTA.

3. *Are commercial businesses that supply accommodation managed/monitored by HUD, if so what for?*

TCIT will only monitor instances which fall under the jurisdiction of the RTA. For example, service tenancies, where a tenancy is granted in connection with an employment contract between the landlord (as employer) and tenant (as employee or contractor), or residential accommodation provided by property management forms.



4. *Is temporary accommodation covered, if so to what extent?*

Generally temporary accommodation is excluded and not covered by the RTA. Where parties to a residential tenancy that is not covered agree to contract in to part/all of the RTA, then those provisions will apply.

5. *If a business has multiple tenants in caravans or "hut like" structures covered by HUD? If not which government entity is responsible for ensuring the accommodation is fit for purpose?*

TCIT monitors residential tenancy accommodation that fall under the jurisdiction of the RTA. Whether a caravan or hut like property is deemed to fall under the RTA will be dependent on each individual circumstance, and where the situation does not fall within one of the exemptions detailed under Section 5 of the RTA.

6. *Does HUD use the Healthy Homes standards used, if not why not?*

TCIT monitor and enforce compliance with the Healthy Homes standards/RTA.

7. *How are housing standards checked/verified/enforced by the Ministry?*

Where ongoing breaches are identified, TCIT uses a number of interventions and enforcement activities to make sure landlords comply with their obligations under the Act. This includes holding landlords to account, and requiring them to change their behaviour where necessary.

As well as investigating alleged breaches, landlords and property management companies are proactively visited, and their business processes and systems are assessed for compliance with the Act (RTA).

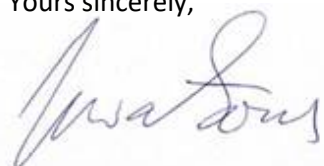
8. *Who checks this for the South Waikato District?*

In terms of tenancies covered under the RTA, TCIT is responsible for monitoring and enforcing the relevant provisions of the RTA for New Zealand including the South Waikato District.

I trust you will find this information useful.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely,



Steve Watson
National Manager
Tenancy Compliance and Investigations