

07 SEP 2016

Vanessa Cole
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Dear Vanessa

Thank you for your email of 22 August 2016 to the Minister for Social Housing, requesting the following information under the Official Information Act 1982 (the Act):

- 1. How many Housing New Zealand tenants have been evicted because of meth testing each year from 2013?*
- 2. How much money has the government given to these meth testing companies each year from 2013?*
- 3. Is the government going to review the evictions that have taken place and compensate the families, ensuring they do not have an anti-social clause against their name, are given a new Housing New Zealand home and are apologised to?*

On 22 August 2016 your request was transferred to Housing New Zealand under section 14(b) of the Act. I have considered your request and respond to it, below.

- 1. How many Housing New Zealand tenants have been evicted because of meth testing each year from 2013?*

The table below shows the number of evictions of Housing New Zealand tenants for methamphetamine in the last three years.

Financial year	Number of evictions
2013/2014	1
2014/2015	2
2015/2016	5

Please note that eviction is not the same as termination of a tenancy. An eviction occurs where a court bailiff is authorised to obtain possession of a property after the Tenancy Tribunal has ended it, the landlord has an order for possession of the property, and the tenant has not vacated it.

Housing New Zealand considers eviction only as a last resort, usually if it has not been able to reach a satisfactory agreement with a tenant, either directly or through mediation and/or the Tenancy Tribunal. Before proceeding to an eviction, Housing New Zealand will offer the tenant a final opportunity to pay a debt in full, resolve any outstanding tenancy issues, or leave the property of their own accord. Therefore, evictions are not an accurate guide to the number of tenancies ended due to methamphetamine. Housing New Zealand does not centrally record this information, which is held on individual tenant files.

Housing New Zealand takes a suspicion-based approach to testing tenanted properties for methamphetamine. This may take the form of information received from the New Zealand Police, complaints from neighbours, or observations by tenancy managers or maintenance

contractors. In some cases, a current tenant may complain of health issues and ask for their property to be tested.

If Housing New Zealand tests a property and a test shows contamination above Ministry of Health guidelines, we will issue a 90-day notice requiring the tenant to vacate the property. This is because the property may not be safe to live in and needs to be vacated so it can be cleaned.

Our first concern is the health and safety of the tenants and their household. If a property is deemed unsafe to live in, as well as issuing a 90-day notice we may also issue a 7-day notice to end the tenancy as soon as possible.

Housing New Zealand started recording methamphetamine as a specific reason for issuing a 90-day notice in May 2015. In the 2015/2016 financial year we issued 117 90-day notices for this reason. However, not all 90-day notices result in the ending of a tenancy. If reasonable doubt exists over whether the tenant is responsible for the contamination, Housing New Zealand will transfer the tenant to another property. If a tenant is responsible for the contamination, we will terminate their tenancy and suspend them from living in one of our properties for up to one year.

2. How much money has the government given to these meth testing companies each year from 2013?

The table below provides the annual cost to Housing New Zealand of chemical contamination since 2013/2014. Please note that this includes the costs both of testing for methamphetamine, and of reinstating contaminated properties. It may also include work to improve or update the property. It does not include the cost to Housing New Zealand of safely disposing of properties that are too severely contaminated for remediation to be feasible.

Housing New Zealand believes that the increase in spending is largely the result of improved information sharing with the Police, and improved reporting. Our staff are also becoming more experienced in identifying methamphetamine use, and we are placing greater focus on identifying homes where methamphetamine is used, or has been used in the past, rather than manufactured. This includes testing properties available for sale under our First Home Ownership scheme before sale.

To provide a context for these figures, Housing New Zealand spent over \$490 million on maintaining and upgrading its properties in 2015/2016, and is budgeted to spend over \$520 million in 2016/2017.

Financial year	Spend on chemical contamination (\$)
2013/2014	706,083
2014/2015	2.9m
2015/2016	21m

3. Is the government going to review the evictions that have taken place and compensate the families, ensuring they do not have an anti-social clause against their name, are given a new Housing New Zealand home and are apologised to?

There is no evidence to indicate that Housing New Zealand has wrongfully terminated tenancies. We terminate tenancies on the basis of illegal activity, including the use or manufacture of methamphetamine within the tenancy, and not according to the level of contamination. The Residential Tenancies Act 1986 states that a tenant "must not use the

premises, or permit the premises to be used, for any unlawful purpose”, and this has always been a condition of our tenancy agreements.

Housing New Zealand tests according to the Ministry of Health’s “Guidelines for the remediation of clandestine methamphetamine laboratory sites”. These establish the currently acceptable level of methamphetamine residue after remediation as 0.5 micro grams per 100sqcm. We place the highest value on the health and safety of our tenants, staff, and contractors, and our policy is to not knowingly permit tenants to live in a property that registers readings above this level.

As the country’s largest landlord, Housing New Zealand has a significant role to play in deciding how to address issues associated with methamphetamine manufacture and use. We have a specialised team that is developing practical solutions to deal with the issues of property contamination and safety. This includes being part of a national committee created to provide clearer guidelines to those involved in remediating methamphetamine contamination. The current standards were developed to address methamphetamine manufacture, and are not entirely suitable for contamination through use. The new standard will cover testing and remediation of properties contaminated by both the ‘cooking’ and use of methamphetamine.

I trust you find this information useful. You have the right under section 28 of the Act to ask an Ombudsman to review my response.

Yours sincerely



Rachel Kelly
Manager Government Relations

