

## ALL NEW ZEALANDERS WELL-HOUSED



### Community Housing Aotearoa (CHA) Newsletter 12 April 2021

Welcome to the fortnightly newsletter of Community Housing Aotearoa *Nga Wharerau o Aotearoa*.

Articles in this issue include Tenancy Management Community of Practice, CHRA Assessment Report; The SHIFT Aotearoa Conference; Salvation Army & Community Finance case study; Building Code consultation; News and Events.

Please remember to sign up for the CHA webinar on [Building for Climate Change](#) this Thursday, 15 April from 2-3pm with Nick Collins.

If you have any questions about the content, please [email us](#) your feedback.

### Tenancy Management Community of Practice

The first **Tenancy Management Community of Practice** was held via zoom on **19th March** with over *40 participants* joining representing 30 different organisations.

**A community of Practice** is a way of bringing together people and organisations working on the front line so that they can share knowledge and good practice, discuss issues and work out how best to collaboratively overcome them. The idea is that we are all experts in the work we do so we all have something to contribute and, by working together, we are stronger and able to make more progress towards our collective goals.

The views and opinions discussed as part of the session are not definitive – it will still be up to each individual/organisation to determine the appropriate interpretation and/or practice for them.

CHA will seek to provide additional guidance and more information where questions are raised and gaps identified, including raising with our colleagues in government.

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The session started with an introduction to the main RTA changes in 2020. Summaries are available on the Tenancy Services [website](#) and from the [Ministry of Housing and Urban Development](#).

**Kathryn Burton**, well known for her RTA training, provided an update on the evolution of tenancy law in relation to Tenancy Tribunal cases. Kathryn covered what we are learning about suppression orders (all parties currently obtaining these where requested and not just the successful applicant), damages and compensation, and highlighted some cases that are worth looking more closely at.

For instance on **methamphetamine contamination**, this recent case - NZ TT Manukau 4281668 - could be helpful for those designing policy and procedures for their organisations. It outlines the Tribunal's current thinking on Methamphetamine levels and provides clarity about how they are reaching decisions.

Although we are still waiting for official regulations in this area, this case allows us a degree of expectation that policies aligned with this decision are less likely to result in adverse consequences for providers.

You can review this case and other online at [Tribunal orders | New Zealand Ministry of Justice](#).

There was some discussion about the new anti social behaviour notice requirements, although there is little case law on this yet. Evidence requirements and noise nuisance were a focus. It is clear that for behaviour to be considered under these provisions it must happen after 11 February 2021.

Establishing a pattern of anti-social behaviour from before that time probably will not be a consideration at Tribunal. There is helpful information on the Tenancy Services website, including an [anti-social-behaviour-factsheet](#) and an anti-social or unacceptable tenant behaviour decision [tool](#).

Damages and compensation awards were also discussed. On the one hand there was scrutiny on the reasonableness of damages – hourly rates for trades, and adjustments required for depreciation (see this [online calculator](#) or the [IRD info](#)). On the other hand awards of compensation for tenants claiming under Section 45 were high. The tribunal appears to have clear expectations that landlords can evidence any costs claimed and that those costs will be kept as low as possible.

The new Healthy homes requirements were also a focus of discussion with requests for a single issue workshop including expert and official advice. CHA will set this up.

**Transitional and Emergency Housing** is now exempt from the RTA. A **Code of Practice** is to be developed by government and CHA is working with providers to develop an initial guidance document relating to the accommodation agreement. One item to consider is the appropriateness of referring to tenant / tenancy in relation to any agreement that sits outside of the RTA!

Please join us for the next **RTA and Tenancy / Property Management Community of Practice** on **13th May 2021** from **2pm to 3.30pm**. Register via this [link](#). After registering, you will receive a confirmation email containing information about joining the meeting.

## Community Housing Regulatory Authority assessment report

The Ministry of Housing and Urban Development engaged consultants KPMG to conduct an external review of the Community Housing Regulatory Authority's operations in 2019. It was released on 25 March and KPMG CHRA assessment, March 2020 report is now available on the HUD website. The information gathered from the review has led to a 31-page report including 10 recommendations for potential improvement. CHRA has begun to address these and will work with the sector and stakeholders as required to inform the work.

Click [here](#) for the release by HUD of the full report and read the [Newsroom article](#) with an interview of CHA CEO Scott Figenshow.

## Shift Aotearoa Conference

The SHIFT Aotearoa is about moving toward the [right to housing and curbing financialisation](#) in our housing market through real and meaningful interventions. The right to a decent home in Aotearoa – steeped in a history which begins with Te Tiriti o Waitangi - is in the balance. The [Human Rights Commission's](#) guidelines on the right will be released soon: how will they make a difference?

Our rental system is financialised too. Over 60% of our rental system is supported in some way by government 'demand-side' interventions – the neo-liberal era is built on getting governments from the [supply side to the demand side](#). One example is our free and easy investment in the [Accommodation Supplement](#). Sure, the line is blurred, especially right now; how is the inadequate functioning of our rental system impacting your community?

Further enquiries: [project@theshiftaotearoa.org](mailto:project@theshiftaotearoa.org).

**Engagement series:** the 13 April [engagement series](#) meetings are **postponed** until April 27 at the same times. Thanks to those who have participated to date and expressed further interest in these dates.

## Salvation Army partner with Community Finance to build new community housing

The Salvation Army has spent many years advocating for better housing for New Zealanders and was one of the first organisations to voice their concerns about our housing crisis. Motivated by the crisis, they are now building new, warm, affordable homes. The attached case study showcases the partnership between the Salvation Army and Community Finance.

Click [here](#) to view the full article.

## Consultation for the 2021 Building Code update is now open.

Every year, MBIE consults on the Building Code and selected acceptable solution and verification method documents, to provide an opportunity for the public and the building and construction sector to have their say on the proposed changes.

This year's proposed changes aim to make homes and buildings warmer, drier and healthier, with less impact on our environment, while also bringing New Zealand more in line with international standards.

Proposed changes include:

- New climate zones to better reflect the specific weather different parts of New Zealand experience so the amount of insulation that's needed in new homes and buildings across the country will now vary based on where the building is located
- New verification method to ensure heating, ventilation, and air conditioning (HVAC) systems in commercial buildings
- Changes to ensure apartment and other high rise buildings have enough natural light

**MBIE** will be running a **webinar on 21 April 2021** to provide more details on the proposed changes and answer any questions. Register for the webinar [here](#).

To find out more about the proposed changes or to submit feedback, please visit [mbie.govt.nz/have-your-say/](https://mbie.govt.nz/have-your-say/).

The consultation will run until Friday, 28 May 2021.

## In the News

- [What A Difference A Year Makes...Red Shield Appeal Launched Today](#)
- [NEW CITY MISSIONER FORMALLY WELCOMED](#)
- [We Can Fix Housing By Changing New Zealand's Perspective On How We Live](#)
- [Dwelling And Household Estimates: March 2021 Quarter](#)
- [Community housing regulator falling short](#)
- [Examining The Housing Market Ahead Of Big Changes](#)
- [Have Your Say On Our Plan For The Next Ten Years](#)

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## EVENTS

### ADNZ - What Really Makes a Home Healthy?

Te Herenga Waka—Victoria University of Wellington's School of Architecture.

This event is hosted by Wellington Architectural Designers New Zealand.

Tuesday 13th April 2021  
6:00 PM – 8:30 PM

To register click [here](#).

## **Building for climate change and understanding life cycle analysis: are we building for today or for the life of the house?**

A discussion with Nick Collins who is a spokesperson for the New Zealand Manufacturing Alliance and CEO of Metals New Zealand

You are invited to this zoom meeting on 15th April 2021 from 2-3pm.

Register in advance for this meeting [here](#).

After registering, you will receive a confirmation email containing information about joining the meeting.

## **Social Policy Practice and Processes in Aotearoa New Zealand**

Massey University Press and the School of Government at Victoria University of Wellington invite you to the virtual Zoom launch.

This book is essential reading for tertiary students in social policy and related subjects, as well as the wider policy-making community. **CHA CEO Scott Figenshow is a co-author** of the chapter on Housing along with Dr. Kay Saville-Smith from CRESA.

*Thursday 15 April 2021, 7.30pm*  
Join via zoom: <https://vuw.zoom.us/j/99367655598>