

Aotea Great Barrier Local Board feedback on the reform Residential Tenancies Act 1986

Introduction

Aotea Great Barrier Local Board supports a bill which appropriately balances the needs of tenants for stable and secure homes with the needs of maintaining adequate protection for landlords' interests.

As renting becomes increasingly the norm, there is a need for greater security of tenure where tenants can feel "more at home". Particularly on Aotea, where island residents can lose their rental homes each December as the houses are required for the more lucrative summer lets.

The housing market on the island is limited and what is available is becoming increasingly unaffordable. The stock available for rental is also extremely limited as Great Barrier and other coastal islands become bach destinations for wealthy city owners. And homeowners are opting for an Air B&B tourist market over a long-term rental market.

This has become a huge issue as the island is now struggling to find rental homes for new residents wishing to relocate to the island. Economic development on the island is increasing, but with nowhere for people to rent, it is difficult for the job opportunities to be filled.

It becomes a fine balance between making it an easy and attractive offer for landlords to rent out their houses and tenants to have stable and secure homes.

Responding to the discussion document

1. Modernising tenancy laws so tenants feel more at home

We support the recommendations to extend the notice periods landlords must give under a periodic tenancy from 42 to 90 days and remove the ability for landlords to end periodic agreements without providing the tenant with a reason.

We recommend setting a default of three years for fixed-term tenancies on the standard tenancy form, while maintaining the provision for both parties to opt out and set the term of their choice.

We support changes to the Residential Tenancies Act aimed at creating a safe and secure home experience for renters. We recommend pets should be negotiated between landlord and tenant on a case by case basis and not be an automatic right for the tenant. We recommend that a landlord has 21 days to consider a request for reasonable modifications to the property and that tenants should be responsible for reversing the modifications they have made when a tenancy ends, unless the landlord agrees to inherit the modification.

2. Setting and increasing rent

We support the recommendations to prohibit the request and acceptance of rental bids and to limit rent increases to once every 12 months regardless of tenancy type or term and require that the formula for calculating any future rent increases be agreed prior to the tenancy commencing and included in tenancy agreement forms.

3. Enforcing tenancy laws

We recommend the ability to anonymise tenants in the Tribunal rulings due to the fact that tenants tend not to go to the tribunal in risk of a) losing their tenancy and b) losing important references for new tenancies.

We recommend a mechanism for auditing rentals that is separate from complaints lodged by tenants. An independent tenancy audit authority to track compliance with quality standards so that tenants are not responsible for keeping landlords to the minimum standards.