

Auckland Regional Public Health Service

Rātonga Hauora ā Iwi o Tamaki Makaurau



Auckland Regional Public Health Service

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Residential Tenancies Regulations Submissions
Ministry of Business, Innovation and Employment
15 Stout Street
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Submission to the Proposed Residential Tenancies Regulations

Thank you for the opportunity to provide a response to the Residential Tenancies Regulations.

The following submission has been prepared by the Auckland Regional Public Health Service and does not necessarily reflect the views of the three District Health Boards it serves. Please refer to **Appendix 1** for more information on ARPHS.

The primary contact point for this submission is:

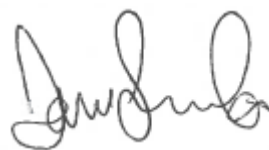
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Once again, thank you for this opportunity to submit on this issue.

Yours sincerely



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Introduction

1. The Auckland Regional Public Health Service (ARPHS) supports the intent of the amendments to the Residential Tenancies Act (RTA) and the proposed Residential Tenancies Regulations to require insulation and smoke alarms in rented accommodation.
2. This submission reiterates points made in our submission on the Residential Tenancies Amendment Bill (RTAB).

Key Question 1: Smoke alarms – location and number

3. In principle, ARPHS supports the New Zealand Fire Service's recommendations on the number and placement of smoke alarms. This is a level of protection which the Fire Service considers optimal, based on their experience and research. While the minimal approach proposed in the discussion document would be an improvement on the current situation, the optimal approach should be considered part of a landlord's duty of care to their tenant.

Key Question 2: Type of Smoke Alarm

4. ARPHS supports the proposal requiring long life photoelectric smoke alarms. We agree with the assessment provided in the discussion document. Long life alarms have the distinct advantage of not requiring tenants to replace batteries, hence increasing the likelihood that alarms will remain functional for longer.

Key Question 3: Benchmark for Insulation

5. ARPHS supports requiring high levels of insulation in rental accommodation, given the poor state of much of the existing rental stock. We support using the current Building Code insulation standards (rather than the 1978 standards) as the benchmark. This should apply:
 - to retrofitting insulation for pre-1978 buildings;
 - to retrofitting and repairing insulation where it is incomplete, damaged, damp or degraded;
 - to renovations of rental properties where a building consent is required;
 - when a building starts being used for rental accommodation.
6. In most circumstances, the difference in materials costs between the 1978 and current insulation requirements is under \$500 for a 120m² house, based on current retail prices.
7. Our submission on the RTAB proposed that insulation should be upgraded for all new tenancies prior to the implementation date of July 2019. This would reduce the expected rush to meet the new regulations in the months leading up to the implementation date.
8. The information provided to landlords should remind them that rental housing also needs to meet the requirement in the Housing Improvement Regulations 1947 to be free of dampness and to have an approved means of heating in all living areas.

Key question 4: Exemptions from installing insulation

9. Exemptions should be restricted to a minimum. There needs to be a means by which buildings are assessed to ensure that exemption criteria are met.
10. Where there is an exemption, the landlord should be required to implement other measures to improve thermal performance such as draft reduction and to install high efficiency heating, such as heat pumps, capable of raising the temperature of the house to the World Health Organisation standards (minimum night time temperature of 18°C) at minimal operating cost to the tenant.

Key question 5: Required standard for insulation

11. ARPHS supports using the current Building Code insulation standard as the requirement for insulation because of the impacts on tenant health and building liveability. We consider this to be consistent with research findings from He Kainga Oranga/Housing and Health Research Programme at the Wellington School of Medicine.

Key question 6: What are the biggest risks?

12. ARPHS agrees with the assessment in the discussion document. The fire and electrocution risks identified are serious, as demonstrated in the Australian experience described in the discussion document.
13. The risks should be handled by requiring insulation to be installed and certified by an appropriately qualified and certified installer. The provision in the RTAB to require statements concerning insulation to be included in all new tenancy agreements would be satisfied by this certification.
14. The proposal allowing landlords to install insulation and aluminium foil themselves is of concern because of the fire and electrical risk. The proposed requirements to meet Worksafe and electrical standards and regulation are not adequate, as most landlords would not be in a position to know if the standards had been met. At the very least, certification by a building and/or electrical inspector should be required.

Appendix 1 - Auckland Regional Public Health Service

Auckland Regional Public Health Service (ARPHS) provides public health services for the three district health boards (DHBs) in the Auckland region (Auckland, Counties Manukau and Waitemata District Health Boards).

ARPHS has a statutory obligation under the New Zealand Public Health and Disability Act 2000 to improve, promote and protect the health of people and communities in the Auckland region. The Medical Officer of Health has an enforcement and regulatory role under the Health Act 1956 and other legislative designations to protect the health of the community.

ARPHS' primary role is to improve population health. It actively seeks to influence any initiatives or proposals that may affect population health in the Auckland region to maximise their positive impact and minimise possible negative effects on population health.

The Auckland region faces a number of public health challenges through changing demographics, increasingly diverse communities, increasing incidence of lifestyle-related health conditions such as obesity and type 2 diabetes, infrastructure requirements, the balancing of transport needs, and the reconciliation of urban design and urban intensification issues.