

THE PEOPLE'S REVIEW OF RENTING

Renters United!

ActionStation
people powered change 



THE PEOPLE'S REVIEW OF RENTING CONTENTS

Foreword	03
Executive summary	04
Why a People's Review of Renting	05
Key themes in the report	07
Summary of recommendations	11
Who we did and didn't hear from	16
Existing research about renting in New Zealand	20
What the stories tell us	22
Quality of housing affects quality of life	23
Limited options make people desperate	29
People struggle to create a stable home	33
People feel powerless to challenge landlords	38
Recommendations from the review	45
Notes on methodology, references and further reading	49

FOREWORD



**Philippa
Howden-
Chapman**

Professor of public health at the University of Otago, Wellington, Philippa is the director of He Kainga Oranga/ Housing and Health Research Programme and the NZ Centre for Sustainable Cities. Her team's randomised community trials, in partnership with local communities, provide evidence to inform housing, health and energy policy. Their work focuses on reducing inequalities in the determinants of health and they have received a number of awards including the Prime Minister's Science Team Prize. She is currently the chair of the World Health Organisation Housing and Health International Guideline Development Group.

Telling stories is usually soothing, but some of the stories told in this report *The People's Review of Renting* are heart-rending and shocking. We know already from all too many studies that there is a rapidly growing problem with severe housing deprivation in New Zealand. The number of people whose rent takes more than 50 percent of their income, who are living in dilapidated houses, overcrowded houses, houses where there is no privacy or security of tenure is increasing. In the 2013 Census, it was one in every 100 people. We know that the quality of private rental housing is worse than both state housing and owner-occupied housing. We can quantify the toll this poor housing takes in recurrent illnesses, all too often leading to repeat visits for children to the doctor and possible hospitalisation for chronic respiratory diseases and, shockingly, premature death. Yet these deaths are usually nameless unless a coroner carefully rules, "Whether the cold living conditions of the house became a contributing factor to the circumstances of Emma-Lita's death cannot be excluded."

In this timely and brave report we hear the first-hand experiences of 610 adults, who primarily rent in the private sector. Their stories make sobering reading and provide an emotional underpinning to the statistics. The houses these people - many of whom are students - live in, are less likely to be insulated or have effective heating than houses overall. In other words, people in this report are more likely to live in the poorest quality housing available, because of their low incomes and their preference to be close to the university in order to minimise transport costs.

A disturbing theme in this report, given that tenants are essentially buying housing services from their landlords, is how vulnerable and powerless they feel to even ask, let alone demand rights to a flat that "Shall be free from damp". Yet this is a right that was established in the Housing Improvement Regulations 1947, which are still extant. Housing rental standards are basically not monitored; the effectiveness of the newly established branch of MBIE has yet to be established. The Tenancy Tribunal hears mainly from landlords, as tenants worry that if they complain their rents will rise or they could be evicted. The rental market clearly does not function well for those on low incomes.

It is a sign of hope in politics that two committed and articulate advocacy groups ActionStation and Renters United have joined forces to bring us these tenants' stories and to advocate for stronger and enforced rental regulations. We can be grateful for those who took the time to share their experiences. I would also add that we urgently need a high-ranking Minister of Housing in the incoming government, who develops workable strategies with the sector and communities, to bring order to the erratic merry-go-round palliatives in the housing sector, which are currently leading to so much stress, and too much suffering, for too many renters.

EXECUTIVE SUMMARY



WHY A PEOPLE'S REVIEW OF RENTING?

The 2017 election year started with housing high on the agenda. Debate abounded about Auckland house prices and millennials spending too much on avocado on toast. Yet there was little mention of the almost half of the population who rent. While politicians debated the stats, renters were being left on the sideline.

Through a number of surveys, ActionStation members highlighted they wanted everyone to be able to live in a warm dry home in our country and highlighted concerns with what it's like renting.

We wanted to put renters' stories at the heart of the debate. So ActionStation reached out to Renters United. Together, we completed this review.

Our aim is to highlight what it is actually like to rent in New Zealand. Successive governments have treated renters like second-class citizens. For too long we've become sick living in cold, damp places that we can't call home because we have so few rights. This report aims to change that.

WHAT IS THE PEOPLE'S REVIEW OF RENTING?

The People's Review of Renting was a wide call to the public to share their stories of renting. Between June and July 2017, we invited anyone to share their story of renting and/or answer questions about the place they live in. Stories were submitted online, with the option to remain anonymous.

This is a collection of powerful stories of people's real experience of renting. We are not suggesting that these stories represent the full range of renting experiences in Aotearoa. While we heard from a wide range of contributors, including a few landlords, we do not claim to have a complete picture. This is not a rigorous quantitative study, but it is a rich source of qualitative data which helps to illustrate the human side of the issues raised in other forms of research. The 600+ experiences shared in this review are worth attention. We also found that the themes which emerge are consistent with numerous previous academic studies - which we also draw on in this report.

The People's Review of Renting has been a highly collaborative, ambitious process. After members prioritised issues affecting people who rent, ActionStation reached out to Renters United. Together we created the submission process and sought responses from hundreds of people around the country. Numerous people have brought the report together. Kate Day and public health researcher Hilary Day read through and coded the stories. Independently, Abby Burns, a human centred designer and researcher, also did a thematic analysis of all the stories. Anna Mooney and Kayla Healey from Renters United conducted background research. Together Rick Zwaan, Kate Day and Abby Burns have co-written this report and Renee Pearson designed it. Paul Barber and other policy researchers gave feedback on the final draft. All of this was only possible because members of the ActionStation community chipped in to fund it, the Renters United team contributed numerous hours of expertise, and more than 600 people shared their experiences of renting.

Key themes by percentage of stories

We received 610 responses in total to this review. People were given an option to either share a story, or just answer questions about their experience of renting, or do both. Combined, this gives us a rich insight into the state of renting in 2017 from across Aotearoa.

Here's a breakdown of the themes of the stories.¹



62%
are about the condition
of their home



33%
are about a time
something needed fixing



7%
were about making a complaint
to the Tenancy Tribunal



27%
were about something else



41%
are about their landlord
or property manager



21%
are about a time they had to move
out before they wanted to



29%
are about how their housing was
affecting their health or the health of
someone they lived with

We also asked people some basic questions which would be included as part of a rental Warrant of Fitness check:



70%
reported that their place does not
have ceiling or underfloor insulation



52%
reported their rented home was
not weathertight



27%
reported some of their light switches
and power outlets appeared unsafe



61%
reported that their home did not have
a fixed form of effective heating

¹ People could select more than one theme so the total exceeds 100%.

Key themes in the report

From the hundreds of experiences shared with us, several distinct themes came through strongly. These are listed below. We noticed that through each theme, renters often mentioned experiences that stripped them of dignity - something closely linked to having a sense of home, belonging, and taking pride in one's identity. We heard stories of how many parts of the renting experience left people unable to preserve their dignity, and feeling like second-class citizens.

01

Quality of housing affects quality of life

Living in poor conditions - cold, damp, often unsafe and unfit houses - seriously affects other areas of renters' lives. People described homes that made them and their families constantly sick, forcing them to take time off work and school, and never properly getting better. When staying at home is what makes people who rent unwell, more time at home 'recovering' doesn't help. People shared the stress they felt when taking time off work might put their job at risk, or mean they could no longer afford their heating bill. We heard about homes that were not only cold and damp, but hazardous in other serious ways, with parents worried about keeping their kids safe at home. All of these things can, and often do, take a toll on renters' mental health.

"You're just so cold you don't want to do anything"

02

Limited options make people desperate

Renting can make people feel trapped. The stories highlighted that renters make the best choice they can when faced with a series of less than desirable options, especially when the alternative is homelessness, but they're not necessarily happy or healthy in their homes. Finding a home requires competing against other desperate renters for poor quality or overpriced homes. The house hunting process is often a stressful one, and some renters described feeling discriminated against in the application process. Securing a property is an achievement in itself. It's not surprising renters may feel too anxious to change things. Moving takes time and money, and even if they can afford that, the new place could end up being equally or even more substandard. It's a risk. We heard from people who felt disempowered and stuck in their situations, but didn't think they had any other options.

"I couldn't afford to be fussy... this was the only house I got accepted"

03

People struggle to create a stable home

Renters feel insecure and struggle to create a sense of home. In many stories, renters shared how it feels to be unable to personalise their space or do things that help them settle, such as putting up pictures or keeping pets. Their stories also highlight the extreme insecurity caused by actual or possible eviction. Many shared about the expense of having to move house regularly, and how it results in dislocation from community, anxiety and a reluctance to speak up about problems.

"I have learned to just keep some stuff packed and hoard cardboard boxes. I want a place to call home."

04

People feel powerless to challenge landlords

Renters feel powerless. A common theme in the stories was the relative power landlords have over tenants - a dynamic particularly evident in the large number of stories about neglected maintenance and repairs. The stories show that neglected maintenance affects renters' quality of life, mental health and physical safety and in some cases imposed additional costs. Despite this, renters were reluctant to complain for fear of rent rises or eviction. This provided fertile ground for other types of abuse or illegal behaviour by landlords.

"The power is all in the landlord's hands and the tenant has almost none."

RECOMMENDATIONS FROM THE REVIEW

The People's Review of Renting has highlighted a lack of enforcement of existing legislation, as well as areas in which existing legislation is inadequate. We recommend the following steps to improve conditions for New Zealand renters. Each recommendation is linked to one of the key themes of this report. However, the recommendations are designed to be mutually reinforcing so will be more powerful if they are introduced alongside each other.

Goal 1

All rental housing is warm, healthy and safe.

Recommendation:

Introduce a mandatory rental Warrant of Fitness. Amend legislation to introduce a comprehensive, evidence-based Warrant of Fitness (WoF) as the minimum standard for all rental properties. This would include all public and private rentals, short-stay rentals and boarding houses. Allocate sufficient central government funding to resource local authorities to conduct inspections to enforce the WoF. Review the standard periodically. Consider providing funding for some of the necessary improvements.

Goal 2

Everyone has affordable housing.

Recommendations:

1) Limit rent rises: Prohibit rent increases that exceed proportional increases in the national minimum wage.

2) Abolish letting fees.

3) Take a hands-on approach to the housing market to ensure adequate supply (and affordability) of all housing types.

Introduce a tax on property speculation. Initiate a National Housing Strategy to ensure long-term adequate supply of housing across the housing spectrum, to take pressure off the private sector.

Goal 3

People who rent are secure. They can create homes and report problems without fear of eviction.

Recommendation:

Abolish no-fault evictions. Amend legislation to make all tenancies permanent, except in circumstances where a fixed term is mutually agreed. Tenants should be able to give reasonable notice to end a tenancy (90 days or 21 days in case of hardship). Landlords should only be able to end the tenancy by mutual consent, or due to non-payment of rent or substantial deliberate damage to the property (with appropriate notice). When a rental property is sold the tenancy should transfer to the new owner as a condition of sale.

Goal 4

People can successfully challenge illegal behaviour by landlords and property managers.

Recommendations:

- 1) Reform the Tenancy Tribunal to lower the barriers to access.** Reform the Tribunal to an investigation rather than a confrontation model, including tribunal investigators who can investigate properties, interview parties and so on. Allow tenants to bring advocates who can speak on their behalf. To reduce fear of retribution for bringing cases, allow tenants to bring cases to the Tribunal without making their name public.
- 2) Fund tenants' education and advocacy services.**
- 3) Require all landlords and property managers to be licensed.** Based on examples from numerous other sectors, establish a regulatory board consisting of representatives of renters, landlords and government. This board should create a code of conduct, oversee licensing landlords and property managers and consider complaints when they breach the code.

Goal 5

The ongoing situation for people renting improves. The Tenancy Tribunal effectively upholds renters' rights, regulations are enforced and periodically reviewed.

Recommendations:

Establish a Commissioner for Housing who will provide independent advice and oversight to Government and Parliament to ensure the human right to housing is realised for everyone living in New Zealand.

RHODRY'S STORY

Renting is no longer just the 'rite of passage' of students enduring freezing winters in their Otago flats. With houses becoming increasingly unaffordable, people are renting for longer - many into retirement.² Many people describe the sense of a loss of dignity and desperation as they do what they can to survive in their unaffordable poor quality rental homes.

Here's a story from Rhodry, who currently lives in a rental in Little River on the Banks Peninsula with his partner. He describes growing up with his solo mum who was just trying to keep her head above water as they moved from place to place.

² Sally Keeling, "Later life in rental housing, current New Zealand issues." *Policy Quarterly* 10, no. 3 (August 2014): 49-53. Retrieved (<http://igps.victoria.ac.nz/publications/files/8459e272c90.pdf>).

"From a young age, I have lived predominantly with my mother and sister (my parents divorced when I was very young) and because of this have always been in rental houses, often on the move.

For a single mother like mine, moving into a rental in Auckland can be a hell of a mission. It's not just a matter of 'move on in and happy days'... It's taking at least two days off work to make the place liveable, then move in. When we moved to East Auckland, Highland Park... Boy did it need a clean up. Rug doctor carpet surgery was needed (TWICE OVER).

We had to spend a few days with us three plus the grandparents and our uncle fixing decaying rotted planks on the deck and cleaning out a derelict shed for storage. The walls were filthy, it smelled less than pleasant, mouldy window sills and skirtings. Then the bathrooms and kitchens... By joe did we use some jiff that day! Jiff, bleach, elbow grease, blood sweat and tears.

A couple of years down the track, under the kitchen sink was leaking and rotting away, floorboards were getting affected too. Things were falling apart. The house was always damp. Often mouldy in places. The deck was precarious, and it was almost a running joke trying to remember which planks on the deck were actually safe and wouldn't cave in when walking on them. A window in my room broke, making it very draughty and cold. We constantly reminded the landlord, asking him to fix it, telling him how cold it was getting. "I fix it, I fix it" he tells us time and time again. No results. It's still bloody cold, and the duct tape does a shabby job of keeping the wind and rain out.

Our second winter kicks in, and I'm getting badly sick. Deep painful coughs. It's nasty. It's because of the black mould that has taken over my room. I'm off school, and Mum is having to take some time off to look after me. Bills don't stop, Mum is struggling, and now her room is also showing serious signs of black mould.

Mum and I are now both sleeping in the lounge, because sleeping in our rooms is making us both sick. I know Mum is stressed, but she tries to hide it, pretending everything's okay. It's sink or swim, and Mum's a fighter. She'd tell me "Don't worry honey, we're moving out soon, and we'll find a nicer place in a couple of months."

Being positive, I do have some fond memories with mum watching Stargate in the lounge, but being a teenager without your own space and sleeping with your mum is not ideal. Not to mention I can feel the anxiety and low moods of my desperate mother, who is trying to show an outward 'cool' hiding her sense of hopelessness and feeling trapped. I have no space of my own. I am getting mildly depressed. Being bullied at school, and I just broke my arm. Things feel pretty bleak.

There were times where we were almost out on the street, a mother in tears, on the edge of a melt down, working sometimes three jobs, getting secondary taxed to her ears... She was just treading water. I feel guilty for being such a cost. It just doesn't seem fair. A mild depression clouds most of my college years.

The hell my mother went through just to provide us, was nothing short of keeping her head just above poverty, buying us KFC every once in a while to treat us, and pretend like she's not broke. She took loans out just to give us a Christmas once... Just put it on top of her massive student debt. No mother should have to suffer like this. But it's a common story throughout this country. Most people are just getting by, treading water. Many of us are sinking, with no one to bail them out... Especially not the bloody government.

Something needs to change... Soon.

This story has brought up a lot for me, I haven't really gone back to those times, and I felt some tears wanting to surface just writing this story. I hope it is helpful in building a better future for renters in future."

WHO WE DID AND DIDN'T HEAR FROM

In contrast to the common narrative that living in substandard rentals is something that students have to bear through as a rite of passage, most respondents (70%) were aged over 30 with 47% over 40. Many were solo parents or families. Respondents disproportionately identified as female (75%) and were more likely to be on lower than average incomes.

74% identified as Pākehā, 16% as Māori, 14% as European, 16% as other ethnicities (with Pasifika making up the largest proportion). While this is somewhat representative of the New Zealand population in general, they were not representative of the renting population. This is because Māori are more likely to be renting with only 28.2% owning their own homes, compared to 56.8% of Pākehā.³

We heard from people from all around New Zealand. Respondents included people in paid work and on benefits. They also included people with disabilities or long-term health issues. Most responses came from people earning below the median annual income (\$48,800 in 2016).⁴

30% earned less than \$20,000 per year
17% earned between \$20,001 and \$40,000 per year
22% earned between \$40,001 and \$60,000 per year
17% earned over \$60,000 per year

The vast majority of respondents (87%) lived in a private rental home. The remaining respondents were split between living in a boarding house or a place owned by Housing New Zealand, a local council or community housing provider. 50% of respondents paid their rent directly to the owner of the property. 45% paid rent to a property manager, and 5% were unsure.

While the review was targeted at hearing from people who rent, we did hear from a few landlords. Some were highly empathetic to the realities that renters face. Others did not agree that renters have a hard time, and shared stories where tenants had made their own lives hard.

We did hear from a number of people who shared positive experiences of renting. However, the nature and timing of the review meant we were probably more likely to hear from people sharing negative experiences. As mentioned above, this review did not aim to capture a complete and representative picture of renters' experiences; but rather to share stories that highlight how the renting system can be improved.

Finally, because we publicised the call for responses primarily via online channels, we are unlikely to have heard from respondents without computer literacy or internet access. There will also have been many people who rent who did not hear about the opportunity to submit their stories.

³ StatsNZ, "Quick Stats About Housing." Retrieved (<http://www.stats.govt.nz/Census/2013-census/profile-and-summary-reports/quickstats-about-housing.aspx>).

⁴ Careers NZ, "Who Earns What?" Retrieved <https://www.careers.govt.nz/jobs-database/whats-happening-in-the-job-market/who-earns-what/>.

ALEX'S STORY

Renting is unstable. People renting don't know when a landlord may decide to end a tenancy, making them feel anxious and reluctant to put down roots. Renters also tend to move frequently, which can be expensive and disruptive. A 2015 survey of renters found that nearly half had moved within the last two years, one third of these because the landlord sold the house.⁵

Here's a story from Alex, describing the uncertainty she feels as a renter.

⁵ Karen Witten, Martin Wall, Penelope Carroll, Lucy Telfar-Barnard, Lanuola Asiasiga, Thomas Graydon-Guy, Taisia Huckle, and Kathryn Scott, *The New Zealand Rental Sector*, (Auckland: Massey University, 2017), 9

“My experiences living in rental properties in Auckland, and now down in Nelson, have made me desperate to try to get out of the rental market. I feel utterly vulnerable to the whims of landlords, and with little to no protection or stability, I find it difficult to feel like I have a home.

My myriad experiences living in Auckland... were mostly marked by the same pattern - the owner wanted to sell, and we were given rather short notice to move out... In the span of two years, I had moved house five times due to landlords deciding to sell...

We are unable to truly make a rental house feel like a home - we aren't allowed to paint the walls, or even put nails in the wall to hang up portraits or artwork. Every home I've lived in has disallowed pets...

When I think about it too much, it is really upsetting - the costs of moving are so expensive, with having to have enough liquid assets to afford to cover two bonds at once, and to rent a truck or movers ... and take time off work to do it ... to having to pay double rent if we need to have overlapping days so we can move our things.

The renting situation in New Zealand has left me feeling more stressed and uneasy than I've ever felt living in any other country – there's no guarantee that you'll have a home in a month, if things change. We have become such a transient class of people, unable to put down roots.”

EXISTING RESEARCH ABOUT RENTING IN NEW ZEALAND

Almost half the New Zealand population is renting. In the 2013 census, 42 percent of people for whom tenure status was identifiable were living in rental accommodation.⁷ Since this time house prices have increased, creating barriers to home ownership. It is therefore likely that the proportion of renters has risen. Renting has now become a permanent status for many New Zealanders.

The census data tell us more about who is renting. People aged 20-34 years were most likely to be renting; older age groups were least likely to be. By ethnicity, Pasifika peoples were most likely to be renting, followed by Māori. Most households who rent do so from private landlords.⁸

People who rent tend to be on lower incomes than homeowners. A survey of over 1,000 tenants found their median income was well below the New Zealand median.⁹ Some face significant financial pressure. For 2014 to 2015, 72 percent of children living in poverty lived in rental homes – 57 percent in private rentals and a further 15 percent in Housing New Zealand homes.¹⁰

Most likely to rent



20 – 34 years old



Pasifika, Māori



Below New Zealand median income

- 7 Karen Witten, Martin Wall, Penelope Carroll, Lucy Telfar-Barnard, Lanuola Asiasiga, Thomas Graydon-Guy, Taisia Huckle, and Kathryn Scott, *The New Zealand Rental Sector*, 2017, p. 7.
- 8 Alan Johnson, *Taking Stock: The Demand for Social Housing in New Zealand*, Auckland: Salvation Army Social Policy and Parliamentary Unit, 2017, p. 7.
- 9 Witten, et al., *The New Zealand Rental Sector*, p. 8.
- 10 Bryan Perry, 2017. *Household Incomes in New Zealand: Trends in Indicators of Inequality and Hardship 1982 to 2016*. Wellington: Ministry of Social Development. Retrieved (www.msd.govt.nz/about-msd-and-our-work/publications-resources/monitoring/index.html), p. 142.

A number of studies provide insight into renting in New Zealand. Here are some key pieces of research and what they tell us. (Full references are listed in the Bibliography.) The findings of this research are included in relevant sections below.

The New Zealand Rental Sector

The results of a three-phase study of the New Zealand private rental housing sector in Auckland, Wellington, Christchurch and Dunedin, based on Census data and extensive surveys and interviews of tenants and landlords. Findings cover characteristics of tenants and properties, tenants' experiences and future plans.

Household incomes in New Zealand: Trends in indicators of inequality and hardship

A regular, comprehensive report by the Ministry of Social Development about New Zealanders' household incomes. Covers a range of topics including housing stress, the accommodation supplement and the living situations of children in poverty.

Child Poverty Monitor: Technical Report 2016

Provides data on a range of indicators used to assess child poverty in New Zealand. Data is provided on housing tenure, affordability, crowding and quality. Data is also provided on child hospitalisations for conditions with a social gradient (such as respiratory and communicable diseases, for which housing is a contributing factor).

The BRANZ House Condition Survey

Conducted every five years to investigate the condition of rented and owner-occupied homes. In 2015/2016 assessors visited 560 houses, including 149 rentals, and recorded information on insulation, ventilation, heating and mould. They found that rental housing tends to be in poorer condition than owner-occupied housing.

The HRV State of the Home Survey

Also investigates housing quality via a survey in which residents report the condition of their home. The 2017 version surveyed 1040 New Zealanders. 79 percent of renters reported they would rather be living in a warmer, drier, healthier home.

Trademe Rent Price Index

Provides a monthly analysis of the rental property market across the country. This is based on the rent prices being sought in listings from the past month.

Paper Walls

A 2013 analysis of the laws that protect healthy housing in New Zealand. Recommends legislative changes that would improve the situation for renters.

Renting in New Zealand: Perspectives from tenant advocates

In this article, the authors argue that tenant advocates play an important role in supporting tenants to improve housing, and that they have expertise to contribute unique perspectives on policy solutions.

Individual and collective action for healthy rental housing in New Zealand

In this thesis the author analyses five key phases of collective tenant protest in New Zealand's history. She also analyses tenants' ability to advocate for their individual interests. The thesis shows that tenants' health disadvantages are inextricably linked to their power disadvantages. It is argued that improving the health of tenants requires interventions that account for power disparities.

Decent Expectations? The Use and Interpretation of Housing Standards in Tenancy Tribunals in New Zealand

This article explores the existing housing quality standards that apply to the New Zealand rental sector and investigates how these are interpreted in practice. The authors argue that the lack of a clear and well-publicised standard prevents a robust enforcement of landlords' obligations to provide adequate housing.

Residential Mobility Report 1: Moving house in the first 1000 days

Part of the findings of Growing Up in New Zealand, a longitudinal study. This report provides insight into families' residential mobility, providing data on frequency of moves and the impacts on service access, neighbourhood integration and belonging.

Kimihia Ngā Whare Māori Ōranga Pai

A 2017 study exploring the challenges faced by Māori renters in Greater Wellington, based on a survey and narrative interviews. Special effort was made to hear the experiences of Takatāpui renters. 79% of the 77 survey respondents felt that housing was negatively affecting the health of someone they lived with. 43% had experienced discrimination when finding housing. 32% felt at risk of becoming homeless.

WHAT THE STORIES TELL US

From the hundreds of experiences shared with us, there were some distinct themes that came through strongly. We heard similar stories from people living in low quality houses all over Aotearoa that were affecting the quality of their lives. We heard from people feeling trapped in their situations, faced with very few options, of people struggling with no real sense of home, and feeling like they had no control over their own situations. So many people renting shared the same sentiments; these are common experiences.

All of these themes spoke to the larger idea of dignity, something which we heard the renting experience can strip from an individual, and something which is closely connected to notions of home, belonging, and identity.



QUALITY OF HOUSING AFFECTS QUALITY OF LIFE

We spend a significant amount of our lives in our homes. If that home is cold, damp, draughty, leaking, or otherwise uncomfortable then that has a major impact on our health, mood and general quality of life.

The stories we received confirm that many rental homes are of poor quality and that this significantly affects the lives of people who rent. The condition of the home people rented was the most common issue shared, with 62% of stories we received being about quality (or lack thereof). Many powerful stories spoke of living in poor conditions - cold, damp, often unsafe and unfit houses - which seriously affected other areas of tenants' lives.

This is how Fiona described it:

“I’ve been in the home for about a month now and instantly my son got sick due to how cold the home was. Sure there’s an open fire place which cost about \$100 a fortnight in wood, paper, fire starters to keep us warm. I want to point out that an open fire place isn’t enough to keep a three bedroom home warm, not to mention the floors are wooden!

I tried my very best to keep the house as warm as possible, putting sheets over the doors and under door frames to stop drafts seeping in, but it still did not feel good enough. As a mum I was completely heart broken knowing how cold this home was is the reason my son had this cold he could not shake off... I broke down in tears. I had had enough...

It dampens your motivation I believe because you’re just so cold you don’t want to do anything.”

Cold and dampness

A key factor in keeping a place warm is adequate levels of insulation. Yet only 30% of respondents said they had ceiling or underfloor insulation. This is comparable with the finding of the HRV State of the Home Survey, in which 36 percent of renters reported having insulation in their homes.¹¹ (However it is well below the finding of the BRANZ 2015 House Condition Survey, in which independent assessors found that 77 percent of rentals had at least 70mm of ceiling insulation.)¹²

Cold and dampness are ideal conditions for toxic mould to grow. Many people highlighted the level of mould in the place they live. A person who wished to remain anonymous, living in Christchurch, said:

¹¹ HRV State of the Home Survey, "Kiwis go cold and tough it out to save money," 10 July 2017, www.scoop.co.nz/stories/GE1707/S00024/kiwis-go-cold-and-tough-it-out-to-save-money.htm.

¹² White, Vicki and Mark Jones. 2017. Warm, Dry, Healthy? Insights from the 2015 House Condition Survey on Insulation, Ventilation, Heating and Mould in New Zealand Houses. Judgeford: BRANZ Ltd. Retrieved (https://www.branz.co.nz/cms_show_download.php?id=50335e67bb00f3e0464097be1d4d71ac8a85f6bf).

¹³ Vicki White, Mark Jones, Vicki Cowan and Saera Chun, BRANZ 2015 House Condition Survey: Comparison of house condition by tenure (Judgeford, New Zealand: BRANZ Ltd, 2017), ii.

¹⁴ White and Jones, Warm, dry, healthy? 1-2.

¹⁵ HRV State of the Home Survey, "Kiwis go cold and tough it out to save money."

"We have been living in a cold, damp and mouldy house for over two years now. We have three children that are constantly getting sick - we have to throw away quite a bit of kids toys and clothes etc due to mould. Our conservatories are always leaking when it rains, still failed attempts from landlord on repairing them with Selleys No More Gaps or something like that resulting in the lost use of both conservatories. There is no ventilation in the bathroom and toilet resulting in mould and water dripping from ceiling.

Our house is so cold during winter as there is no insulation it gets to -4 in the roof and 4 degrees in the room as we can't afford to run heating due to very high power bills. Without heating, we pay \$450 a week on rent and our power roughly the same for the month. And we have problems with rodents.

Recently I contacted Tenants Protection Association they help with tenancy protection and had a council environmentalist assess the house. He said it's habitable but not for little children. Also our oven is in flammable wood shelf thing with no ventilation and we have sent a 14 day remedy notice and still haven't heard anything back yet."

Often commentators and landlords blame tenants for not ventilating their home. Yet we heard many stories from people desperately following all the advice they can get, yet still being unable to keep the mould away.

As one Auckland renter put it:

"Our carpets are now growing mould despite our best efforts to keep the house dry. Regardless of what people suggest we do, such as open doors and windows, dry clothes outside, utilise extractor fans, etc etc .. We do all of this, but we still have mould problems."

Existing research backs up what the stories tell us and shows that rental housing tends to be in poorer condition than owner-occupied housing.¹³ Poor maintenance can expose renters to hazards and cold, damp conditions that affect their health. The BRANZ 2015 House Condition Survey found that of the rental properties assessed, more than one third felt damp, and mould was present in more than half of them. Around one quarter had less than 70mm of insulation in the roof space.¹⁴ Unsurprisingly, many renters report feeling cold or paying high heating bills. In the 2017 HRV State of the Home Survey, half of renters reported using as little heating as possible to reduce costs.¹⁵

Getting sick

Trying to raise children in cold, damp homes was a common theme throughout the experiences shared. Sadly, many of the stories featuring children referred to health problems exacerbated by substandard housing.

Here's one story from someone who wanted to remain anonymous.

“We moved into our house in Massey when I was six months pregnant with our first child. It was spring. We soon noticed we wouldn't be able to move him into the bedroom intended to be the baby's room because the mould was so bad. I was washing the walls weekly and any furniture made of porous wood pulp material became damp, swollen and covered in mould.

Fortunately we managed to convince the property manager that it was not OK to house a baby, and they organised to install a basic ventilation system (not heating). But the house was still terribly hard to heat. It cost us around \$380 a month in power and on top of that we had to pay for firewood, which was hard on one income at the time. There was still a degree of dampness despite a DVS which actually did a lot to improve the situation. But bedrooms were still gathering mould and there was paint peeling from the ceiling and walls.

A perpetual leak from the bathroom meant the floorboards were always damp, and an issue with the piping from the shower meant that the pipe would often burst and one wall downstairs was often sodden. And the 'sick house syndrome' we believe contributed to our son's asthma and a case of very bad pneumonia which saw him hospitalised for a week.”

People described constantly getting sick, and being forced to take time off work and school, never properly recovering. When staying in the house makes you unwell, more time at home doesn't help.

One renter in Wellington who wished to remain anonymous told us:

"The flat is extremely damp and I believe there is mould under the floors. The bathroom has been flooded at some stage and the floor rotted out round the bath and has been badly repaired. My tiny room is next to the bathroom. I am in my fourth month of flu and respiratory infections. I'm exhausted.

Our landlord was meant to insulate last spring but didn't. I cleaned the gutters out... I air the house... Use a dehumidifier... I think my flatmate survives because she is away a lot... Meanwhile I have never been this sick in my life. There is no insulation and the landlord has purposely withheld the latest agreement which is meant to outline what insulation is in a house."

Worth of note were the stories from renters affected by disability or chronic illness. They shared how cold, damp housing impacted their lives:

"As a single elderly female on a sickness benefit (PTSD and anxiety) I am always at the mercy of rentals that are low end - converted garages or outhouses that do not meet building standards... I ... am becoming sicker and sicker due to poor food, leaky drafty flat, anxiety about losing my home."

"I have psychiatric health issues and I am very underweight so winter is a very hard time for me as I get very cold... A cold, damp home compounds the mental and physical stresses on an already stressed system."

"My mum, who had terminal cancer, my son and I were accepted for a very beautiful villa.... We informed the landlord and she had told us that the heat pump was brand new and that the house was fully insulated. My mum ended up with pneumonia twice... She ended up passing away in that house."

While these stories are individually very sad, when these health impacts are considered over the entire population of renters the results are extremely serious. Numerous studies have shown that cold, damp conditions negatively affect renters' health and mental health. Renters have been shown to take more sick days than owner-occupiers.¹⁶ Each year, over 40,000 children are hospitalised with respiratory and communicable diseases that have housing as a contributing factor.¹⁷ Further, an additional 1,600 New Zealanders die during winter months, a spike in mortality that is less pronounced in countries with warmer housing.¹⁸ The stories above are lived examples of these statistics, highlighting that quality standards demand urgent attention.

¹⁶ J. Simpson, M. Duncanson, G. Oben, A. Wicken, and S. Gallagher, Child Poverty Monitor: Technical Report 2016 (National Report) (Dunedin: New Zealand Child and Youth Epidemiology Service, 2016), 4.

¹⁷ HRV State of the Home Survey, "Kiwis go cold and tough it out to save money."

¹⁸ Ruth Nichol, "1600 deaths attributed to cold houses each winter in New Zealand," New Zealand Listener, 27 May 2017.

Mental health impacts of substandard housing

Dealing with cold, damp or unsafe homes every day can be highly stressful, and take a toll on people's mental health.

Several people shared stories of the impact that poor quality housing had on their mental wellbeing.

"The flat was drafty, cold, mouldy. The floors sagged and tilted, the stairs down were unlit...

Two dehumidifiers were on constant rotation throughout the house - one night in each room, and full to the brim by morning... I would be very confident in saying this flat helped extend my five colds that year, and certainly didn't provide a safe space for me to rest after working 8am - 8pm towards completing the final year of my BSc.

That year I also developed anxiety, and went through depressive periods - warmth and sunshine would not have gone amiss."

"My housing has effected my mental health so much so that we had to leave and return to my parents house to relieve my stress and help with my depression and anxiety."

"I hate my house. My kids hate this house. We are so tired 24 - 7 from being cold."

Hazards

Many shared stories of living in places that were downright dangerous.

"I live in a rental house with my partner and our young children. I am pregnant with our third baby. After many years of living in Wellington I am used to unusual access to flats - up and down stairs/paths etc. However, our current house is worse than most. It is up 25 very steep and slippery wooden steps. The landing at the top has horizontal bars which create a very rickety barrier to the concrete metres below. The bars are very tempting and easy for my small children to climb. Architect and builder friends have told me that the steps and landing are very poor quality and by their design would never meet current or even old building codes. Our landlord is cantankerous and unpredictable - I dread when things break as he always makes a big deal of it. I know it's not even worth raising this as an issue with him."

"At one point we had sewage literally spilling out by the back door. Not kidding - when we flushed the toilet it came out - poo, toilet paper and all - by the back steps because the pipe was blocked and also broken... If I remember rightly we were paying \$750 per week for the place."

"It was the middle of winter, and the house was freezing. We had no power at all. The management company did nothing to offset the fact that the house was unliveable during that time until I pushed them on it. And even then they made it sound like they were doing us a favor. We could have literally died if we'd taken a bath due to the faulty wiring, but a reduction in rent during the time in which the power was off was a big deal for them."

Existing regulations and housing quality

These stories highlight that existing regulations are not adequate to ensure houses are healthy and safe. Although by law, landlords must keep properties in a reasonable state of repair, the above examples show this is not always followed. Many renters live in hazardous homes.

Further, existing regulations do not ensure properties are warm and dry. Recent amendments to the Residential Tenancies Act have required some improvements to housing standards: landlords must now disclose whether the property is insulated, and install fire alarms. Insulation to 1978 standards will be compulsory in all rental homes from July 2019. However, these changes are unlikely to prevent the extent of problems renters describe in the stories above. Also, the onus remains on tenants to complain if their landlord does not comply, which is problematic, as discussed below.

LIMITED OPTIONS MAKE PEOPLE DESPERATE

Choosing somewhere to live can be hard. It has to meet your needs - the right size, the right location, the right price, available at the right time, good condition, the list goes on. However choosing is no longer a luxury afforded to most people renting today. In many parts of the country, rentals are in short supply or they are not affordable. Some renters have been left homeless because there simply are not homes available for them.¹⁹

The stories confirmed that renters are facing a highly competitive market, with desperate tenants bidding against each other to try to secure a home. This was the case for an anonymous renter in Auckland.

“Since looking for a rental property I have found that it is a soul destroying exercise. Firstly there is the ‘open home’ of renting. A house is available for viewing for 10 minutes for as many people as wish to see it in that short time. This allows some people an opportunity to offer more than the asking rental figure if they wish, and this means that it can become a quasi auction in which the people with the most money win.”

“I couldn’t afford to be fussy... this was the only house I got accepted.”

¹⁹ For example, Matt Stewart and Ged Cann, “Couple Resort to Sleeping in Library as Capital’s Rent Crisis Deepens,” 17 March, 2017. <http://www.stuff.co.nz/national/education/90374040/couple-resort-to-sleeping-in-library-as-capitals-rent-crisis-deepens> Retrieved 18 August 2017; Paul Mitchell, “Flathunters Face Fierce Competition in Manawatu as Rental Market Tightens Further,” 13 August 2017.

High pressure viewings

Property viewings can be stressful times for renters, as often it's not about picking the option they most want, but hoping that there will be something available to them. They feel under pressure to take what they can get, even if that means sacrificing their ideals or expectations, possibly paying more than they can afford or living in a cold, damp, unhealthy home. Renters make the best choice they can when faced with less than desirable options, especially when the alternative is homelessness.

Sonja from Dunedin and an anonymous renter from Whakatane described the house hunting struggles:

“As a childless professional, I was able to fork out the stupid amounts of cash needed for flats of reasonable quality (though sometimes cold), but I saw so many other people - including parents and kids, students, older folk, struggling beneficiaries - who couldn't. They desperately competed for shockingly poor quality rental properties.”

“Unfortunately I couldn't afford to be fussy as I was living in an emergency house prior, and time was nearly up for me to be living there with my kids. Due to affordability and credit issues, this was the only house I got accepted to rent.”

One renter shared how the competition for rentals affected their mental health:

“At the first open to view we attend in this pokey small semi detached flat I was greeted with 20 pairs of shoes. Inside there was a maul of people thrusting CV in the rental agents face while shouting why they would make the best tenants. Confined to a small space with all these people I had my first ever panic attack and had to leave. By the time places were being advertised the properties were gone. If I did get a viewing we were turned down. Faced with homelessness in a week's time I broke down in front of a rental agent who had been in my position and she took pity on us and found us a property...”

The ‘perfect tenant’

The landlord or property manager plays an integral role in the property search for renters. When the competition is so fierce for limited properties and tenants cannot afford to be picky, it's the landlords who can. One renter in Auckland, who chose to remain anonymous, was surprised just how difficult it was to secure anything, much less something that met their needs.

“When we would get to a rental property there would be massive queues there to check it out. Often it was even pointless going any further than the front gate of the property. My boyfriend and I were turned away as we weren't ‘family enough’. We were struggling to find anywhere. I have everything needed to get a rental: Perfect rental payment history for 19 years, referees from reputable letting agents, above average wage, clear credit history, four years work stability, all the bond, rent and letting fee upfront, and never been unemployed. We ended up taking an overpriced run down house full of mold and leaks and a section that hadn't been tended to for years. We got desperate. It was a scary and frightening experience. How is someone who doesn't have all I have get on? It scares me more to think about it.”

A market this competitive can lead to discrimination, even though this is forbidden under the Human Rights Act. Solo parent families, the unemployed, and people on low incomes can find it particularly difficult to find rental properties. Race is also a factor. A 2006 study found Māori to be 13 times more likely than other New Zealanders to report experiencing discrimination when buying or renting housing.²⁰ A 2017 survey of 77 Māori renters found that 43 percent had experienced some form of discrimination when searching for a rental home.²¹ Discrimination can put even more pressure on tenants, discouraging them from revealing any factor a landlord could use against them to dismiss their chances.

One Auckland renter gave a good example of how this functions in practice:

“It is common for landlords or agents to ask for copies of wage slips, bank statements, WINZ benefit details. This request by itself becomes discrimination because of the implication of asking for such detail. It also suggests that if you are not employed your chances of getting a tenancy are less than others who are employed”

Steph in Whangarei pointed out how those on benefits struggle with discrimination:

“Renting in New Zealand is terrible, especially when you have to rely on WINZ for income. I get tired of being discriminated against because of it. You spend your life knowing that you're close to being homeless.”

Partly due to limited supply, housing is growing less and less affordable in New Zealand, according to the latest research. Between 2000 and 2016, average rents increased faster than average wages.²² These costs have put many families into “housing stress” - typically defined as spending more than 30 percent of after-tax income on housing costs. Thirty percent of New Zealand households (homeowners and renters) fit this definition. Even the accommodation supplement does not alleviate this pressure. In June 2016, almost all renters (94%) receiving the accommodation supplement were in housing stress. Half spent more than 50 percent of their income on housing costs.²³ Unaffordable housing limits renters' ability to heat their homes. It also leads to overcrowding, which negatively impacts health.²⁴

Stuck and out of options

After navigating the turbulent rental market and securing somewhere to live, it's not surprising renters are hesitant to change. They're not necessarily happy or healthy in their homes, but may feel too anxious to change things, and so end up feeling trapped. Moving takes time and money, and even if they can afford that, the new place could end up being of equal or worse quality, not to mention the challenge of finding somewhere new in the first place. People can feel disempowered and stuck in their situations, and/but may not have any other options.

A renter in Tauranga, who wished to remain anonymous, said:

"I cannot afford to live here anymore, but I cannot afford to move, and there is nowhere to move to."

20 Ricci Harris, et al., "Effects of self-reported racial discrimination and deprivation on Māori health and inequalities in New Zealand: cross-sectional study," *Lancet* 367 (2006): 2005–9.

21 James Berry, et al. Kimihia Ngā Whare Māori Ōranga Pai, Towards Healthy Māori Rental Housing: Māori Renter's Views on Renting in the Wellington Region, 2017. (Unpublished report supplied to Renters United and ActionStation)

22 1 News Now, "Half of kiwis who get accommodation supplement spend more than 50 percent of income on rent," 7 August 2017, <https://www.tvnz.co.nz/one-news/new-zealand/half-kiwis-get-accommodation-supplement-spend-more-than-50-per-cent-income-rent>.

23 Perry, Household incomes in New Zealand p. 61-62

24 Elinor Chisholm, "Individual and collective action for healthy rental housing in New Zealand: an historical and contemporary study," (PhD diss., University of Otago, New Zealand, 2016), 26.

PEOPLE STRUGGLE TO CREATE A STABLE HOME

Peoples' stories highlight an inability to create a sense of home. They also demonstrate the extreme insecurity caused by actual or possible eviction. Having to move frequently comes with high costs and dislocation from community; even the possibility of moving creates anxiety and makes people who rent reluctant to speak up about problems.

"I have learned to just keep some stuff packed and hoard cardboard boxes. I want a place to call home"

"In the span of two years, I had moved house five times due to landlords deciding to sell."

"You will never be able to hang things on the wall, you won't be able to unpack all your boxes. You have the sense that you don't really belong anywhere."

Challenges of creating a sense of home

Renters are usually prohibited from making changes that would personalise their rental house, for instance putting up pictures, changing the garden or painting. Due to the difficulty of finding a rental place, renters can also be deterred from having pets, which for some, means forgoing another mark of settling and making a home. Renters shared these experiences.

One renter also shared that the landlord's poor maintenance prevented them from creating a home they could open up to friends.

These examples support the finding of a 2015 survey of 1,099 tenants. In that study, one in four respondents did not feel 'at home' in their rental house.²⁶

"[My landlord recently painted the house]... I do not get to choose the colour and had to take down the pictures that make our house a home and I'm not allowed to put them back up. This makes me feel like a second class citizen."

"We were so stressed and unhappy in that house and it was so embarrassing we couldn't have a social life. No one was ever invited to our 'home'."

"I really want to own my own home, to have pets, decorate it as I like and buy nice things without worrying other people will wreck it. As a single person right now in Auckland, I will never be able to afford my own home, rented or owned."

²⁶ Witten et al., The New Zealand Rental Sector, 10.

Insecurity due to actual or possible eviction

A major theme in people's stories was a feeling of insecurity due to actual or possible eviction. Renters on fixed term leases have no guarantee their lease will be renewed. Those on periodic leases may be asked to leave with 90 days notice, or 42 days if the owner's family will move in or the property is sold. (It is worth noting that these laws contrast starkly with how other countries approach security of tenure. Ireland, for instance, legislated in 2004 to provide renters 4 years security. Scotland provides tenants with unlimited right to remain).²⁷

Numerous stories shared in this review were about the high costs and stress involved in being forced to move.

"I usually need to move house every 12 months due to landlords selling the house I live in to realise their capital gain. This has happened 3 years in a row and it costs me upwards of \$1500 for movers and cleaners and uses up my annual leave. Emotionally exhausting. No security at all when renting."

"In the span of 2 years, I had moved house 5 times due to landlords deciding to sell... When I think about it too much, it is really upsetting - the costs of moving are so expensive, with having to have enough liquid assets to afford to cover two bonds at once, and to rent a truck or movers ... and take time off work to do it ... to having to pay double rent if we need to have overlapping days so we can move our things."

Based on existing academic research, these experiences are very common. A 2015 survey of 1,099 tenants found that in the previous two years, nearly half (46 percent) had moved, one third of these because the landlord sold the house.²⁸

²⁷ Mark Bennett, "'Generation Rent' Tenants Need Better Security," 13 April 2017. Retrieved <https://www.victoria.ac.nz/law/about/news/generation-rent-tenants-need-better-security>.

²⁸ Witten et al., The New Zealand Rental Sector, 9.

In this review, people shared the personal impacts of this instability. Stories highlighted how renters feel on tenterhooks, unwilling to put down roots when they expect to be moved on.

“I have learned to just keep some stuff packed and hoard cardboard boxes. I feel like a gypsy. I want a place to call home.”

“You feel like you will never be able to hang things on the wall, you won’t be able to unpack all your boxes. You have the sense that you didn’t really belong anywhere.”

“In the past two years, I’ve lived at five different addresses. ... The regular moving of house ... made it difficult to get to know my neighbours and to participate in community activities and groups.”

Responders highlighted that frequent moves are particularly unsettling for children. One renter shared that his daughter was afraid to make a new best friend, having already said goodbye to several best friends in her short number of years. Academic studies have found that regular moves interrupt children’s schooling²⁹ and connection with health services.³⁰

Other renters shared stories of children having to move:

“My son is six and we are having to move again. This will be the fifth home we have lived in. It truly breaks my heart to see him upset about moving again.”

“By the time our youngest child was five we had moved three times. It is really difficult to build a sense of home or community when this is happening; you can’t put down roots in one place. Everything that our communities provide for kids - school zones, Plunket, kindies etc - assume some kind of permanence in housing. But if you rent, you don’t have it.”

Numerous renters mentioned the anxiety they felt due to the possibility of having to uproot their lives. They expressed worry about an uncertain future, high costs and even homelessness:

“I am made to feel as though... we are utterly replaceable...”

“With stories of rental shortages I feel very vulnerable that we could be homeless at any point. I am constantly anxious that I won’t be able to provide a home for sons... When I walk past a homeless person on the street I am really aware now that this could be me.”

²⁹ Jane Gilbert. 2005. Educational Issues for Communities Affected by Transience and Residential Mobility: Report on Phase 1 (2003-2004). Wellington: New Zealand Council for Educational Research. Retrieved (<http://www.nzcer.org.nz/research/publications/educational-issues-communities-affected-transience-and-residential-mobility-re>).

³⁰ Jatrana, Santosh, Ken Richardson, and Peter Crampton. 2013. “The Association of Residential Mobility with Affiliation to Primary Care Providers.” New Zealand Population Review 39:101–20.

“The renting situation in New Zealand has left me feeling more stressed and uneasy than I’ve ever felt living in any other country – there’s no guarantee that you’ll have a home in a month, if things change.”

“I have constant worry about rent increases or the owners coming home to live in their property. The idea of having the stress of moving again is terrifying.”

“I have been homeless on and off... renting especially under the WINZ system is precarious... I can never be sure when I will be thrown out for something minor, or if the landlord will decide to sell. There is no stability, the landlords have far more rights than tenants do and they know this.”

This insecurity cast a black cloud of anxiety over even the best tenancies:

“I feel like I am one of the lucky ones in the current Auckland rental market. I have a lovely, modern little unit which is warm and dry... My partner and I want to move in together and that would require me leaving my little haven... And this causes me significant anxiety. Will we secure somewhere as nice as my place in the location we need? Will it be warm and dry? Will the property owner decide to sell it from under us?”

Particularly noteworthy is the impact of insecure tenure on renters accessing their rights. In numerous stories, renters cited the possibility of eviction as a significant factor preventing them from speaking up to change to their situation.

“Why don’t I say anything - demand change to comply with the new healthy home rental standards? Well I can’t afford to.... Currently the rental agreement has expired. I have asked for a further agreement, but the owner doesn’t want to sign... I have a strong suspicion that we are being allowed to stay till they want to renovate then we will be asked to leave and the rent will be dramatically increased. Why not? There will be queues of people eager to rent the property.”

“My landlord is a bully... tenants are scared to speak out about him as the housing shortage has made everyone afraid of being kicked out... I just have had so many issues in this home, but I have nowhere else to go and the fear of being kicked into the streets is always on my mind, especially with five babies in tow.”

In summary, renters’ stories highlighted insecurity and instability: the challenges of creating a home, and the exhaustion, anxiety and powerlessness that result from insecurity of tenure.

One renter’s words summarise the result when these conditions are experienced by such a large number of New Zealanders:

“We have become a transient class of people, unable to put down roots.”

PEOPLE FEEL POWERLESS TO CHALLENGE LANDLORDS

A common theme in the stories was the relative power landlords have over tenants - how this impacts renters' lives and their ability to speak up in case of problems.

As shown throughout this report, landlords have considerable power over tenants. Multiple factors - insecure tenure; the lack of affordable alternative properties available - have combined to limit renters' power. This dynamic was particularly evident in the numerous stories that mention neglected maintenance and repairs, landlords abusing power, and how renters responded.

"The power is all in the landlord's hands and tenants have almost none."

"I am at risk of being evicted if I try and apply any kind of pressure."

"I was stuck in a bind, complain too much and have my lease not renewed or live with the leaking house and actually have accommodation."

Neglected maintenance and repairs

A high proportion of stories mentioned renters' experiences living with the consequences of neglected maintenance and repairs. As the stories show, this neglect impacted renters' quality of life, mental health, physical safety and in some cases imposed additional costs on renters.

Landlords have a legal obligation to keep properties weathertight and to provide and maintain properties in a reasonable state of repair. Many landlords fulfil these legal responsibilities, some even going above and beyond to provide good homes for their tenants. However, in this review the majority of stories mentioned some form of neglected or delayed maintenance that reduced their enjoyment of the property.

"We were here for 19 months before 4 light [fittings] were replaced and working. It was inconvenient being without them all that time... We waited 19 months for a plumbing job to be done and the toilet was leaking for 10 months. I several times reported it..."

"The holes [in the roof] have now been there for 3+ months whilst the landlord and property manager 'collect quotes' to get them fixed..."

"My wardrobe ceiling has been leaking for the past month... The leak happens whenever the upstairs neighbours have showers... I now know [their] shower habits because at 6:30am and 5:30pm I am on guard with buckets ready!"

"When it rained outside, it also rained inside and would usually come through cracks in the ceiling. The most concerning part was that the water would leak through the light bulbs... Any time I asked for anything to be done in my home, the landlords always said they would come, but never came."

"...[The landlords] refuse to carry out any maintenance whatsoever. The back door lock is difficult to operate, both to unlock and lock, such that my children can't operate it. Their response was that the front door works fine, use that. The back stairs and deck are wooden and covered in black mold. I had a nasty fall on them in the wet and when I asked for them to be cleaned, I was told all they would do was board them up so they are unusable..."

WHAT THE STORIES TELL US / RENTERS FEEL POWERLESS TO CHALLENGE LANDLORDS

Renters noted the stress, frustration and unpleasantness of chasing landlords. One noted:

“The frustration of requesting time and time again that easy fixes be carried out... is beyond belief.”

“I dread when things break as he always makes a big deal of it.”

In some cases delayed repairs caused tenants to incur extra costs. Two renters shared stories of broken hot water cylinders that landlords failed to fix, which added hundreds of dollars per month to the renters' power bills.

Neglected maintenance also left renters exposed to hazards:

“I have asked for fire alarms and was turned down. (Don't worry I brought my own).”

“I know it's not even worth raising [these dangerous steps] as an issue with [the landlord]. So instead... we spend our own time and money trying to make the steps safer ... And worst of all I worry about my kids and my safety every time we go up and down.”

“My landlord told me he would put cladding on my room by the time we moved in. It's been 7 months and all I have between me and the outdoors is gib and tinfoil (my landlord said it counts as insulation)”.

This final story probably refers to foil insulation, which according to Tenancy Services should not be touched without switching off the power at the mains as it is an electrocution risk.

Renters' reluctance to speak up for fear of retaliation

Given the severity of these situations, it is worth questioning why renters did not pursue their legal rights by issuing a 14-day notice requesting repairs - the first step towards mediation or a case in the Tenancy Tribunal. Among the hundreds of stories, only five responders mentioned that they had issued a 14-day notice to their landlord. Only 12 stories mentioned tenants bringing a case against their landlord.

Based on the stories, there is a clear reason why renters did not assert their legal rights. In multiple cases, landlords interpreted renters' requests for repairs or maintenance as opportunities to raise the rent or evict the tenants.

As one renter noted:

"Every time we ask for something to be repaired within a week our landlord notifies us that the rent will be increased."

Another renter shared that a leaking septic tank had formed a swamp in his backyard. He and his partner debated whether to report it, fearing a rent rise. They eventually did report it, the landlord did raise the rent, and they had to move.

Multiple responders stated that fear of rent rises and eviction prevented them even from reporting problems. One renter said:

"I no longer complain... because I do not want the landlord to make improvements and then use that as an excuse to raise the rent." Another shared: "I am afraid if I ask the landlord to fix the rotten floor in the bathroom that they will increase the rent and I cannot afford this."

Several tenants explained how this fear left them feeling 'stuck'.

"If I complain, what happened last time will surely happen again... they sold [the place] and we had to move."

"I was stuck in a bind, complain too much and have my lease not renewed or live with the leaking house and actually have accommodation."

"The current process whereby I have to lodge a complaint to get basic maintenance carried out is completely unfair as doing so means I risk having my rent raised in retaliation until I'm forced to leave. The power is all in the landlord's hands and tenants have almost none."

Besides fear of rent rise or eviction, other reasons renters expressed for not pursuing their legal rights included being busy with work or study, and having too little proof. Lack of education about their rights may have been another prohibiting factor.

These stories add weight to previous research showing that tenants often choose not to report problems. A survey of tenants and their advocates found that this is due to a lack of knowledge or confidence, high costs in time and effort to pursue a claim, the belief that reporting problems will not lead to resolution, and fear of eviction.³¹ This survey showed that tenants have more success in asserting their rights when an advocate supported them; yet there are few advocate organisations nationwide. In reality, few tenants report problems. In the 2015/2016 financial year, only one in ten Tenancy Tribunal cases were brought by tenants.³²

31 Chisholm, Elinor, Philippa Howden-Chapman, and Geoff Fougere. 2017. "Renting in New Zealand: perspectives from tenant advocates." *Kōtuitui: New Zealand Journal of Social Sciences Online* 12(2):1–16. Retrieved (<http://dx.doi.org/10.1080/1177083X.2016.1272471>).

32 Information received under an Official Information Act request.

Other forms of abuse by landlords

The stories also demonstrated a wide range of other abusive practices by landlords:

“[Our] place was stuck on the side of a cattery and I was supposed to work in there full time for no pay so that we could have affordable rent. My landlady threatened to kick me out when I found a fulltime job...”

“My most recent landlord charged me \$100 per week to live in an outside shed (I was obviously quite desperate at the time) she made me sign a boarding house agreement, despite it not being one, and then kicked me out with 1 week's notice. I have still not received my bond back from this most recent landlord.”

“The real estate agents... started bombarding me with texts wanting access, usually in direct contradiction to the times I said worked for me, and often with less than 24 hours notice...”

“We were ... forced to sign a “cat agreement” for our cat that included an extra week’s worth of bond and contracted to get the carpets professionally cleaned at our own expense once we leave the property, both things we’ve subsequently discovered are not legal.”

“I managed to find a place ... Scared that other people might get the place we made the decision to take [it, pay over summer, and move in later]...[We later discovered] the cheeky scumbag had been renting out the place to some other people on a short fixed term contract over summer, whilst been perfectly happy to collect our rent...”

“They would take an obscene bond from us and do everything in their power to keep that bond... they would still want to charge \$600 for ‘professional cleaners’. They would never get professional cleaners in...”

Several renters shared examples of landlords lying in order to give a 42-day notice period, by falsely telling tenants that their family would be moving in:

“They ended up ending my 6 year long tenancy with them due to ‘getting family in’ instead of fixing the leaking ceiling which was ruining my furniture. The neighbours confirmed that family did not move in, just other non-related tenants.”

These sorts of behaviour are not surprising in an environment where landlords and property managers are not regulated, and renters are so reluctant to speak up.

Enforcing the law relies on renters — yet renters feel powerless

These stories emphasise the impacts of the power imbalance between landlords and tenants. As the examples highlight, renters feel powerless to challenge landlords' behaviour that is illegal or harming their interests. This is highly problematic: the current means of regulation relies on tenants to proactively report problems in order to enforce the law. Local or central government inspectors will only intervene in the most severe breaches of the law.

Unless the power imbalance is addressed, the law that protects tenants will not be addressed, as so many renters shared.

Leaving the wellbeing of renters up to the 'mercy' of landlords is an unacceptable way to ensure that people's right to housing is realised. And the stories show it is not working.

"I cannot tell you how disempowered we feel..."

"The power is all in the landlord's hands..."

"I am at the mercy of people like her for the sake of affordable housing..."

"We are at the mercy of our landlords."

RECOMMENDATIONS FROM THE REVIEW

The People's Review of Renting has highlighted a lack of enforcement of existing legislation, as well as areas in which existing legislation is inadequate. We recommend the following steps to improve conditions for New Zealand renters. Each recommendation is linked to one of the key themes of this report. However, the recommendations are designed to be mutually reinforcing so will be more powerful if introduced alongside each other.



Goal 1

All rental housing is warm, healthy and safe.

Recommendation:

Introduce a mandatory rental Warrant of Fitness. Amend legislation to introduce a comprehensive, evidence-based Warrant of Fitness (WoF) as the minimum standard for all rental properties. This would include all public and private rentals, short-stay rentals and boarding houses. Allocate sufficient central government funding to resource local authorities to conduct inspections to enforce the WoF. Review the standard periodically. Consider providing funding for some of the necessary improvements.

Goal 2

Everyone has affordable housing.

Recommendations:

1) Limit rent rises: Prohibit rent increases that exceed proportional increases in the national minimum wage.

2) Abolish letting fees.

3) Take a hands-on approach to the housing market to ensure adequate supply (and affordability) of all housing types.

Introduce a tax on property speculation. Initiate a National Housing Strategy to ensure long-term adequate supply of housing across the housing spectrum, to take pressure off the private sector.

Goal 3

People who rent are secure. They can create homes and report problems without fear of eviction.

Recommendation:

Abolish no-fault evictions. Amend legislation to make all tenancies permanent, except in circumstances where a fixed term is mutually agreed. Tenants should be able to give reasonable notice to end a tenancy (90 days or 21 days in case of hardship). Landlords should only be able to end the tenancy by mutual consent, or due to non-payment of rent or substantial deliberate damage to the property (with appropriate notice). When a rental property is sold the tenancy should transfer to the new owner as a condition of sale.

Goal 4

People can successfully challenge illegal behaviour by landlords and property managers.

Recommendations:

- 1) Reform the Tenancy Tribunal to lower the barriers to access.** Reform the Tribunal to an investigation rather than a confrontation model, including tribunal investigators who can investigate properties, interview parties and so on. Allow tenants to bring advocates who can speak on their behalf. To reduce fear of retribution for bringing cases, allow tenants to bring cases to the Tribunal without making their name public.
- 2) Fund tenants' education and advocacy services.**
- 3) Require all landlords and property managers to be licensed.** Based on examples from numerous other sectors, establish a regulatory board consisting of representatives of renters, landlords and government. This board should create a code of conduct, oversee licensing landlords and property managers and consider complaints when they breach the code.

Goal 5

The ongoing situation for people renting improves. The Tenancy Tribunal effectively upholds renters' rights, regulations are enforced and periodically reviewed.

Recommendation:

Establish a Commissioner for Housing who will provide independent advice and oversight to Government and Parliament to ensure the human right to housing is realised for everyone living in New Zealand.

NOTES ON METHODOLOGY

We collected renters' stories and experiences via an online submission tool, available at rentingreview.nz. We developed this survey with feedback from renters' advocates. It included qualitative and quantitative questions covering a range of topics: type of renting situation; impressions of quality; impressions of security; confidence in standing up for their rights; and demographic information. Renters could also share their stories about renting, with the option to remain anonymous.

In June and July 2017 we publicised the submission tool via email, social media, tenancy networks, students associations and in media stories.

In August we analysed the stories. One researcher analysed the quantitative questions; three others coded and analysed the stories, identifying the key themes that emerged. This qualitative data aligned strongly with the quantitative results, while adding a nuance and depth of insight that we wouldn't have gained from solely asking quantitative questions.

In addition, a literature review was conducted of relevant recent studies. This provided the background and context to this review and the recommendations.

This report was collaboratively written by Rick Zwaan (ActionStation), Kate Day (Renters United) and Abby Burns (volunteer). Paul Barber and other policy researchers generously provided feedback on the draft report.

This report was designed by Renee Pearson and all photographs in it are taken by her.

References and further reading

1 News Now. "Half of kiwis who get accommodation supplement spend more than 50 percent of income on rent." 7 August 2017. <https://www.tvnz.co.nz/one-news/new-zealand/half-kiwis-get-accommodation-supplement-spend-more-than-50-per-cent-income-rent>.

Bennett, Mark. "'Generation Rent' tenants need better security." 13 April 2017. www.victoria.ac.nz/law/about/news/generation-rent-tenants-need-better-security.

Bennett, Mark. "Security of Tenure for Generation Rent: Irish and Scottish Approaches." *Victoria University of Wellington Law Review* 47, no. 3 (2016): 363-384. <https://ssrn.com/abstract=2914694>.

Berry, James, Liam Cairns, Katherine Court, Sascha Feary, Hanisah Han, Isabelle Hunt, Tariq Kader, Bernard Kean, Prashant Lakshman, Brooke Leota, et al. *Kimihiā Ngā Whare Māori Ōranga Pai, Towards Healthy Māori Rental Housing: Māori Renters' Views on Renting in the Wellington Region, 2017*. (Unpublished report given to Renters United.)

Bierre, Sarah, Mark Bennett, and Philippa Howden-Chapman. "Decent Expectations? The Use and Interpretation of Housing Standards in Tenancy Tribunals in New Zealand." *New Zealand Universities Law Review* 26, no. 2 (November 2014): 153-185. <https://ssrn.com/abstract=2594584>.

Careers NZ. "Who Earns What?" Accessed 20 August 2017. www.careers.govt.nz/jobs-database/whats-happening-in-the-job-market/who-earns-what/.

Chisholm, Elinor. "Individual and collective action for healthy rental housing in New Zealand: an historical and contemporary study." PhD diss., University of Otago, New Zealand, 2016.

Chisholm, Elinor, Philippa Howden-Chapman, and Geoff Fougere. "Renting in New Zealand: perspectives from tenant advocates." *Kōtuitui: New Zealand Journal of Social Sciences Online* (2017). DOI: 10.1080/1177083X.2016.1272471.

Gilbert, Jane. *Educational issues for communities affected by transience and residential mobility: Report on Phase 1 (2003- 2004)*. Wellington: New Zealand Council for Educational Research, 2005. <http://www.nzcer.org.nz/research/publications/educational-issues-communities-affected-transience-and-residential-mobility-re>.

Harris, Ricci, Martin Tobias, Mona Jeffreys, Kiri Waldegrave, Saffron Karlsen, and James Nazroo. "Effects of self-reported racial discrimination and deprivation on Māori health and inequalities in New Zealand: cross-sectional study." *Lancet* 367 (2006): 2005-9.

HRV State of the Home Survey. "Kiwis go cold and tough it out to save money." 10 July 2017. www.scoop.co.nz/stories/GE1707/S00024/kiwis-go-cold-and-tough-it-out-to-save-money.htm.

Jatrana, Santosh, Ken Richardson, and Peter Crampton. "The Association of Residential Mobility with Affiliation to Primary Care Providers." *New Zealand Population Review* 39 (2013): 101-20.

Johnson, Alan. *Taking Stock: The Demand for Social Housing in New Zealand*. Auckland: Salvation Army Social Policy and Parliamentary Unit, 2017.

Keeling, Sally. "Later life in rental housing, current New Zealand issues." *Policy Quarterly* 10, no. 3 (August 2014): 49-53.

Mitchell, Paul. "Flathunters face fierce competition in Manawatu as rental market tightens further." *Stuff.co.nz*. 13 August 2017.

Morton, S.M.B., P.E. Atatoa Carr, S.D. Berry, C.C. Grant, D.K. Bandara, J. Mohal, and P.J. Tricker. *Growing Up in New Zealand: A longitudinal study of New Zealand children and their families. Residential Mobility Report 1: Moving house in the first 1000 days*. Auckland: Growing Up in New Zealand, 2014. <https://cdn.auckland.ac.nz/assets/growingup/research-findings-impact/report05.pdf>.

Nichol, Ruth. "1600 deaths attributed to cold houses each winter in New Zealand." *New Zealand Listener*. 27 May 2017.

Perry, Bryan. *Household incomes in New Zealand: Trends in indicators of inequality and hardship 1982 to 2016*. Wellington: Ministry of Social Development, 2017. <http://www.msd.govt.nz/>

[documents/about-msd-and-our-work/publications-resources/monitoring/household-income-report/2017/2017-incomes-report-wed-19-july-2017.pdf](https://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/monitoring/household-income-report/2017/2017-incomes-report-wed-19-july-2017.pdf).

Rogers, Lyndon. *Paper Walls: The law that is meant to keep rental housing healthy*. Christchurch: Social Justice Unit, Anglican Diocese of Christchurch, 2013. <https://paperwallsdotorg.files.wordpress.com/2013/11/paper-walls-report5.pdf>.

Simpson, J., M. Duncanson, G. Oben, A. Wicken, and S. Gallagher. *Child Poverty Monitor: Technical Report 2016 (National Report)*. Dunedin: New Zealand Child and Youth Epidemiology Service, 2016. <http://hdl.handle.net/10523/7006>.

StatsNZ. "Quick Stats About Housing." Accessed 20 August 2017. www.stats.govt.nz/Census/2013-census/profile-and-summary-reports/quickstats-about-housing.aspx.

Stewart, Matt and Ged Cann. "Couple resort to sleeping in library as capital's rent crisis deepens." *Stuff.co.nz*. 17 March, 2017.

Trademe. "Rent Price Index." Accessed 20 August 2017. www.trademe.co.nz/property/price-index/for-rent/

White, Vicki and Mark Jones. *Warm, dry, healthy? Insights from the 2015 House Condition Survey on insulation, ventilation, heating and mould in New Zealand Houses*. Judgeford: BRANZ Ltd, 2017. https://www.branz.co.nz/cms_show_download.php?id=50335e67bb00f3e0464097be1d4d71ac8a85f6bf.

White, Vicki, Mark Jones, Vicki Cowan and Saera Chun. *BRANZ 2015 House Condition Survey: Comparison of house condition by tenure*. Judgeford, New Zealand: BRANZ Ltd, 2017.

Witten, Karen, Martin Wall, Penelope Carroll, Lucy Telfar-Barnard, Lanuola Asiasiga, Thomas Graydon-Guy, Taisia Huckle, and Kathryn Scott. *The New Zealand Rental Sector*. Auckland: Massey University, 2017. https://www.branz.co.nz/cms_show_download.php?id=606738ff7cb47451e094ad80f39cc912fa18f7a8.



About ActionStation

ActionStation is an independent, crowdfunded community campaigning organisation representing over 170,000 New Zealanders acting together to create what we cannot achieve on our own: a society, economy and democracy that serves all of us - everyday people and the planet we love.

www.actionstation.org.nz

Media contact:

Rick Zwaan, 021 188 1705

rick@actionstation.org.nz



About Renters United

Renters United is an advocacy group working on behalf of tenants in the private rental market. We campaign for all renters to have safe, affordable and secure homes and a voice in the decisions that affect them. Most of our members are private renters in Wellington; we also have supporters who rent in other parts of the country or who own homes.

www.rentersunited.org.nz

Media contact:

Kate Day, 022 315 6499

kate.v.day@gmail.com

Who funded the review?

This review was solely crowdfunded by donations from hundreds of ActionStation members. In order to maintain the independence of the review, no funding was received from the government, political parties, or corporates.



THE PEOPLE'S REVIEW OF RENTING - AUGUST 2017