

SUBMISSION TEMPLATE - 2020

SUBMISSION TO THE Social Services and Community Select Committee on the Residential Tenancies Amendment Bill

Go here -

https://www.parliament.nz/en/ECommitteeSubmission/52SCSS_SCF_BILL_94841/CreateSubmission - to create a submission on line.

1. INTRODUCTION

My name is <Your name> and I have been a residential landlord for <insert years>

(Choose any of the following issues that you would like to comment on. Try to be brief and include your opinion on the proposal using your own experiences and thoughts to back up your opinion.)

Improving security for tenants

Proposed changes are:

- Removing 90 day no reason notices to end a tenancy
- Allowing tenants to assign a fixed term tenancy if their circumstances change. Fixed term tenancies become unenforceable.
- Giving tenants the right to renew a fixed term tenancy even if the landlord doesn't want to
- Removing fixed term tenancies completely and changing periodic tenancies to "open ended tenancies" with restrictions on landlords being able to end the tenancy
- Increasing the notice period for vacant possession from 42 days to 90 days if the property is going to be sold.
- Increased financial penalties for landlords – these now become a criminal act
- There are now 60 Unlawful Acts, with 24 Criminal Offences added, Pecuniary Penalties (up to \$50,000) have been added, Improvement Notices and Enforcement Undertakings have been included.

What have been your experience with 90 day no reason notices, why are they important to retain and what are your concerns if they are removed?

Under the proposals, increasing tenant's security corresponds with landlords losing some of their rights. Why do you think this is a bad idea, what do you think would be the ramifications and unforeseen circumstances? How long are some of your longest tenancies and what do you think could encourage you to provide more security for tenants?

What do you think about having criminal convictions against you for offering a service to the community by providing houses? Will you increase your portfolio? Will you sell off your portfolio? How will you change your business model? Will it mean that tenants without impeccable references will not be able to rent from you? How do you think this will affect society as a whole?

What happens if a gang moves in next door to you and the landlord can't remove the tenants for disruptive behavior? How would you feel? Has this happened before? Write your experience.

Removal of the 42-day termination notice – this is going to be increase to 90 days if you are selling a property.

Currently, landlords who wish to sell their properties or move back into them have to give 42-days' notice to terminate. The proposal is to increase notice from 42 to 63 days if you or a family member want to move back into the property and if you want to sell the property this increases from 42 to 90 days

Describe how you would be affected if these changes are implemented? What will it mean to the whole housing market? If you are a real estate agent – how do you think it will affect your business? Do you think it would make home owner purchasers less likely to buy a property that is currently rented?

Enforcement - Here is a summary of the penalties listed in the Bill. Read the details by clicking on the link to a description of the bill in the first item in the newsletter

Unlawful Acts	<ul style="list-style-type: none"> • New unlawful Acts created • Increases to existing penalties
New group of penalties and obligations created for landlords	<ul style="list-style-type: none"> • Criminal Acts <ul style="list-style-type: none"> ○ Infringement Offences ○ Infringement Fees • Pecuniary Penalties • Improvement Notices • Enforcement Undertakings
MBIE Powers increased	

How do you feel about the increased number of penalties which can now be used against landlords? As highlighted under Improving security for tenants, prior to the current Labour Government there were 24 unlawful acts against landlord. Under Labour and including this Bill there are now 60 unlawful acts, 24 criminal offences added, pecuniary penalties (up to \$50,000) added, improvement notices and enforcement undertakings added. Comment on these if you like or any other issues you believe need addressing

Submitting your submission – you can either post it or email it to the addresses below

Committee Secretariat
Committee Secretariat
Social Services and Community Committee
Parliament Buildings
Wellington

Phone:04 817 9522
ssc@parliament.govt.nz