

# A Place to Live He Wāhi Noho

HOW TO FIND, GET  
AND KEEP A HOUSE

ME PĒHEA TE RAPU,  
TE WHIWHI ME TE  
TIAKI WHARE



Mental Health  
Foundation  
of New Zealand



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**Adequate, affordable and secure housing is critical to recovery, continued well-being and independence.**

New Zealand Mental Health Commission.

We all need a decent place to live. A place that suits us, that we can afford to pay for, that feels safe. A place we can call home.

This booklet guides you through the steps you need to take to find, get and keep a place to live. It is based on the housing experience and advice of many people and organisations.

The main focus of this resource is on renting. If you are thinking about buying a house, see the back of this book for some brief ideas on home ownership.

As it is part of a mental health project, it also has some information on how mental health and connected services and supports might help, and about your rights not to be discriminated against for having had an experience of mental illness.

Remember you have a right to a decent, affordable place to live and to be treated with dignity and respect at all times on your pathway to housing.

Good luck on your journey.

Kia pai tō haere.

Tāwhiti rawa tō haerenga  
ake, te kore haere tonu  
Nui rawa ō mahi,  
te kore mahi tonu  
You have come too far,  
not to go further  
You have done too much,  
not to do more

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This booklet has been created as part of the Northern Region 'Housing for Mental Health' project. The project aims to promote and develop housing solutions that assist people with experience of mental illness.

Quotes in this booklet are from tangata whai ora/ people who have had an experience of mental illness who have been involved in this project and also from Mental Health Commission and Mental Health Foundation publications on discrimination in housing.

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# Finding a House

## Te Rapu Whare

The hub of the life is the house, the whare where you live and sleep... accommodation is just about 99% of your life isn't it, the house? You spend a lot of time in the house, living, and that's why it's got to be right.

### WHAT'S THE FIRST STEP?

Moving house is a big decision that people make for lots of different reasons. At the start, it may feel hard to believe that you will find a good place to live, or that you're going to be able to pay the bills or deal with landlords or flatmates. It can be useful to talk through your options and plan what to do with a friend, relative or support worker. Go through this booklet, filling in the checklists at the end of each section to work out what skills and resources you already have, and what you can work on.

People from Housing New Zealand, Work and Income, mental health and other support services may also be able to help you with finding a place, so there is information on what they do. Check the list of organisations and phone numbers at the back of this booklet and add your own as you find helpful people.

## **WHAT TYPE OF PLACE DO I WANT?**

### **Do you want to live alone or with others?**

- Do you have children who live with you full-time, part-time, or other whānau responsibilities?
- Do you want to share a flat with flatmates?
- Do you want a boarding situation where meals are provided?
- Would you prefer to live alone?

### **What type of housing will suit?**

**BOARDING.** This means renting a room in a private home or boarding house. Laundry, kitchen and bathrooms are usually shared and meals are often included. Usually, rooms are furnished. Boarders pay a set amount per week for rent, food, power and other services. If you are looking at a **boarding house**, there are laws to protect your rights to make sure that rooms are big enough, the number of people per room is limited and there are enough toilet facilities for residents. Food Hygiene Regulations cover the standard of boarding house kitchens where meals are prepared.

**RENTING.** There are several different types of rental places:

- A **bedsit** or **studio apartment** has no separate bedroom - there is one living area for sleeping, eating and day-to-day living. The kitchen and bathroom are sometimes shared with others in the same building.
- A **sleep-out** is usually one room, sometimes with a small kitchen and bathroom, or sharing the bathroom and kitchen in the main house.
- A **flat** or **unit** is fully self-contained with your own bedroom, bathroom and kitchen. Flats can be in very large blocks which may have several flights of stairs. Others are in smaller, semi-detached blocks or stand-alone.
  - **One-bedroom apartments** or **flats** are sometimes expensive and in short supply, depending on where you want to live. But they do provide privacy and the freedom to establish your own place.
  - **Two or more bedrooms.** You could look for a flat or house to share with friends or whānau or you could move in with people who already have a flat.
- **Renting from Housing New Zealand Corporation.** If you are on a low income or benefit, have problems affecting your access to housing, or are in housing that does not meet your needs, you may be eligible for a Housing New Zealand house or flat. There are waiting lists for this type of housing and criteria you have to meet – see page 12 for more details.

## **WHERE DO I WANT TO LIVE?**

Think about where you want to live – do you want to be:

- Close to family/whānau?
- Somewhere quiet?
- Handy to buses or trains?



- Close to childcare centres or schools?
- Near to work, or in an area where there might be work?
- Near to friends, hobbies, recreation, church, marae?
- Near to a community mental health centre or medical centre?
- Close to support people?

If you don't know which areas have more reasonably priced accommodation, ask support people, check local papers, call local real-estate agents or look up lists of average rentals on the Tenancy Services website ([www.dbh.govt.nz/housing/tenancy](http://www.dbh.govt.nz/housing/tenancy)).

If you want to stay with your current mental health team, check which areas they cover – they can give you a map. If you want your children to go to a particular school, ask the school which areas you need to live in. Te Kete Ipurangi education website ([www.tki.org.nz](http://www.tki.org.nz)) has details of local schools in English and Māori.

### **WHERE CAN I LOOK?**

There are many ways to start looking for a place to live.

- **Newspapers.** Local newspapers have 'To Let' and 'Flatmates Wanted' columns. Wednesdays and Saturdays have the most ads. Flats and houses for rent go quickly so phone early. Also check free neighbourhood papers and specialist papers like Trade & Exchange.
- **Radio.** Some radio stations have specific programmes where flats are advertised each week – ask people or call local stations for details.
- **Community noticeboards.** Supermarkets, shops, colleges and community centres sometimes have notices up on boards or in windows for flats or flatmates.
- **Internet sites.** If you have access to the internet, check out real estate agents' websites, Trade Me, or websites like [www.flatfinder.co.nz](http://www.flatfinder.co.nz) or [www.nzflatmates.co.nz](http://www.nzflatmates.co.nz).
- **Real estate agents.** Some real estate agents have rental houses and flats on their books and information about prices in their areas. If you find a place through a real estate agent, they charge you a fee – usually one week's rent – when you get the place.
- **Rental agencies** often charge a fee just to look at their lists of houses and flats, whether or not you find a place through them, and sometimes the lists are out-of-date.
- **Friends/whānau.** Ask if people know of any houses or flats that are available. If you hear about a place where people will be moving out soon, you might be able to ring up the landlord and ask about it before it is advertised. If you are moving in with friends, be clear about your responsibilities in a flatmate agreement (see p. 23).
- **Housing New Zealand offices.** Many Housing New Zealand offices keep lists of rentals available through local real estate agents and can refer you through to agents if you are interested in particular homes.

(with thanks to ComCare Trust, 2004)

## WHAT CAN I AFFORD?

Working out a budget is an important part of getting ready to find a home. Use this table to figure out some costs. You may also see where you might be able to make some savings:

### INCOME

Benefit .....	
Employment .....	
Family assistance (if applicable)* .....	
Accommodation supplement .....	
<b>Total</b> .....	

COSTS		YEARLY	MONTHLY	WEEKLY
WEEKLY COSTS	Rent/Board .....			
	Groceries .....			
	Milk/bread .....			
	Cigarettes/tobacco .....			
	Transport - bus/petrol .....			
	Medical costs .....			
	Entertainment/recreation .....			
MONTHLY COSTS	Church/charity .....			
	Debts - hire purchase/fines/DWI .....			
	Other - lotto, alcohol, pet food .....			
	Phone/ cellphone .....			
	Electricity .....			
	Gas .....			
	Credit cards .....			
	Bank fees .....			
	Insurances .....			
	Other - metered water .....			
YEARLY COSTS	Clothing .....			
	Hair cuts .....			
	Presents .....			
	Dentist .....			
	Vet fees/dog licence .....			
	Car registration/ WOF/ maintenance .....			
	Insurances - car/contents/life .....			
	Other .....			
	TOTAL COSTS .....			
	SURPLUS/SHORTFALL .....			

\* And if you have children, add yearly costs of school uniforms, stationery, school fees, sports equipment, school trips, exam fees

Budgeting services: Budgeters have useful ideas about planning ahead to be ready for bills and can check through any costs you might not have thought of. They can also help you figure out how to pay off debt or save for a bond or deposit; including working out how long it might take. Budgeters' services are free – check the phone book or local Citizens Advice Bureau to find a local budgeter.

### **WHAT SHOULD I CHECK FOR?**

Sometimes, landlords or real estate agents will give an address of a place to look at; others will tell you all about it over the phone. Here are some things to check for:

	<b>COST</b>
<input type="checkbox"/>	Check amount of rent and bond
<input type="checkbox"/>	If boarding, check what price of board includes (meals, power)
<input type="checkbox"/>	Confirm number of bedrooms
	<b>WHO ELSE IS LIVING THERE?</b>
<input type="checkbox"/>	Do you have to share facilities?
<input type="checkbox"/>	Are you allowed flatmates?
<input type="checkbox"/>	Are there rules re visitors or guests (in boarding houses or apartments)?
<input type="checkbox"/>	Is it a long term or short term rental?
	<b>WHAT IS SUPPLIED?</b>
<input type="checkbox"/>	Is it furnished or unfurnished?
<input type="checkbox"/>	Stove?
<input type="checkbox"/>	Fridge?
<input type="checkbox"/>	Washing machine?
<input type="checkbox"/>	Off-street parking/garage/shed
	<b>WHAT'S THE NEIGHBOURHOOD LIKE?</b>
<input type="checkbox"/>	Transport
<input type="checkbox"/>	Shops/ supermarket
<input type="checkbox"/>	Other services?
<input type="checkbox"/>	Is it close enough to your work, school, church, hobbies, marae, whānau/friends?
	<b>WHEN YOU VISIT:</b>
<input type="checkbox"/>	Check the general appearance of the property
<input type="checkbox"/>	Repairs/maintenance – does it look in poor repair?
<input type="checkbox"/>	Is it clean and tidy or are there smells, mildew or mould?
<input type="checkbox"/>	Check that locks and fastenings are adequate
<input type="checkbox"/>	Turn on the shower to check water pressure
<input type="checkbox"/>	Is there much noise or a busy road nearby?
<input type="checkbox"/>	Neighbours
<input type="checkbox"/>	Light and warmth (north- and west-facing properties get more sunlight)

cont'd.

	Talk to current/ previous tenants if possible – what’s the landlord like?
	Does the landlord live next door?
	How come they’re moving?
	Who’s responsible for the section and garden?
	Do you have to mow the lawn?
	Can you have pets?
	Is it suitable for children?
	What are the rules about smoking?

### **WHAT ABOUT FLATMATES?**

If you are planning to live with others or go into a shared flatting arrangement, think about how many people you want to flat with. Do you want to flat with men, women or a mix? What about pets? Children? Partners? Age? Cultural background?

*The best thing for me is to be in a big house with other clients, but not supervised... just people that I know... [tangata whai ora] are the ones I am most comfortable around ...we all just accept each other.*

*I've always flatted with people I like, that's the main thing. Not with people in the mental health system – that's only a small part of who I am, why should that be the main thing? People who keep the place nice, pay the bills, can have a laugh – that's what I look for.*

If you are looking at 'Flatmate Wanted' ads, phone first, so you don't waste time visiting lots of places. In addition to the checklist above, you might want to check:

- How shopping/ kitty/bills are arranged and how much they cost
- Who is on the tenancy agreement? Will you have to be?
- Have people lived there a long time; who's leaving (and why)?
- How do the flatmates get along, how do they sort out disagreements?
- Are there extra expenses e.g. some flats have a shared subscription to Sky TV or pay for a cleaner and you will be expected to contribute.

If you have found a place and need to find flatmates, discuss these issues with them and be clear about the kind of person you want to share with.

## WHAT ELSE DO I NEED TO CONSIDER?

**Is it the right time?** It might take time to save for a bond, pay off debts, find a place that's suitable – sometimes it's worth waiting a bit longer to make sure it has the best chance of working out.

**What do I say?** Most people get nervous about being interviewed by prospective landlords or flatmates. Think about what would make it most comfortable for you, practice with a friend or support worker, figure out how to get there on time or what to wear or whatever will help you feel as prepared and confident as possible. Think about who might go with you, what you want to know and what they might ask you.

*I'm a landlord who happens to experience mental illness. As a landlord, I don't want you to say too much or to reveal personal details – I want to know that you will fit in with the neighbours, treat the place as your home and pay the rent on time. And that you will let me know before there is a problem, not after.*

Remember, if you are on a benefit and a potential landlord or real estate agent asks, "Do you have a job? Are you on a benefit?," you only have to reassure them the rent will be paid. If flatmates ask, "What do you do?," you can say you're between jobs, or taking some time out, or working towards studying or a career change – again, reassure them that you have the capacity to pay your share of the rent and bills and ask them about how these are organised between flatmates. (See **Getting a House** chapter for more on your rights not to be discriminated against.)

**Credit check.** Your 'credit rating' is an estimate of your ability to pay bills, based on your history of paying debts or failing to do so ('defaults', bankruptcy, fines). Real estate agents, power and phone companies, banks, and hire purchase companies may all be able to do a 'credit check' on you, so if you have a poor credit rating, they might not want to lend you money or rent you a place. You can check your own credit rating by filling in a form with the two credit check companies – Baycorp ([www.baycorpadvantage.com](http://www.baycorpadvantage.com)) and Dun & Bradstreet ([www.dnb.co.nz](http://www.dnb.co.nz)). It takes about 10 working days to get the information. Get your budgeter to help you if needed. The credit check will show defaults for the past five years, even if they were completely paid up (e.g. when a flatmate didn't pay a bill in your name, you found out and paid the default in full but your credit rating has been affected). If there are errors, you can expect to have them corrected within ten days. Contact the Privacy Commission [www.privacy.org.nz](http://www.privacy.org.nz) for complaints.

**Finding a house in holiday areas.** In popular summer-holiday places, landlords have been known to evict tenants just before the holiday season in order to get the inflated rents that tourists are prepared to pay. If considering moving into one of these areas, check the length of your lease and remember you must be given notice of at least 6 weeks, and more usually 3 months under the law (see notice requirements in next chapter).



## FINDING A HOUSE: HOW AGENCIES MIGHT HELP

### Housing New Zealand Corporation (HNZC)

To apply to Housing New Zealand, you must be a NZ resident on a low income and meet their eligibility criteria. To see if you may be eligible, contact them to have a chat about your situation – call or visit your nearest Housing New Zealand neighbourhood unit; or phone 0800 801 601 or check the website [www.hnzc.co.nz](http://www.hnzc.co.nz). If they think it is worth applying, you will be asked to make an appointment and supply the following information:

1. Proof of NZ residency for each member of the household (birth certificates or passports or residency confirmation)
2. Proof of income over the past year, such as:
  - 52-week statement from Work and Income (ph DWI on 0800 559 009 to request)
  - Salary/wages for past 52 weeks (HNZC will give you a statement for your employer to fill out)
  - ACC certificate (if relevant)
  - Statement of accounts
  - Financial statement if self-employed
3. Proof of any family assistance you receive from Inland Revenue
4. Proof of your current rent or board payments (such as tenancy agreement, rent or board receipts, automatic payments on bank statements)
5. They may also need to check
  - Expenses, such as power, food and phone
  - Bank statements, loan or hire purchase agreements, credit card accounts
  - Tenancy Tribunal Orders, notices to vacate, court fines
  - Letters of support from advocates or community representatives

They will discuss your current living situation, income and expenses, assets, housing needs and what your options are.

**You can take a support person.** HNZC welcome a family member, community worker or anyone else to support you at the interview. If you need an interpreter, request this in advance.

**Privacy of information.** You will be asked to sign a privacy statement. This gives permission for HNZC to ask other agencies for information to complete assessment of your housing needs. You can check your information at any time to make sure it is correct.

**After the interview.** Housing New Zealand will write to you to let you know that you are on their waiting list or to recommend that you look for other rental housing. If your circumstances change – such as your family situation or income – you need to let them know because this may change their decision or your priority for housing.

**Review.** If you want a review of their decision, talk to the staff at your HNZC neighbourhood unit who will carry out an initial review of your application. If necessary, you can then make a request in writing for a second review by the HNZC Review Office – see the HNZC factsheet

**Reviewing decisions and making complaints.**

**Limited supply.** In many areas of Auckland and Northland, Housing NZ do not have enough houses to meet demand, so even if you meet their criteria, you may still not get a home (or it may take some time). One-bedroom flats, in particular, are in high demand and hard to get.

## Department of Work and Income (DWI)

The Department of Work and Income (which used to be known as WINZ or Social Welfare) provides financial assistance based on a range of criteria. If you are eligible for a benefit or on a low income, you may also be eligible for some help with housing.

Payment	Who may get it	How much? * (this is only a guide)	Do I have to pay it back?	Notes
Re-establishment grant	If you have been in supported accommodation, residential care or hospital for more than six months prior to moving <sup>1</sup>	Ranges from \$600-\$1200 for household and personal goods, shifting costs, beds, bedding and appliances; connecting phone and power	No	Make a list of what you need for the flat and get quotes from second-hand stores and other retailers for the goods – check with your DWI case manager what is required
Bond/rent advance	If you have been in supported accommodation, residential care or hospital for more than six months prior to moving	Up to \$800	Yes	
Temporary Additional Support (TAS)	Temporary additional payments for up to 13 weeks to help with regular essential living costs. May then reapply	Upper limit maximum of 30 percent of main benefit rate	No	Ph. 0800 559 009 to start application process. Cannot be paid if already receiving Special Benefit <sup>2</sup>
Advance payment of benefit	If you receive a benefit	Help with rent and bond	Yes	Provide evidence of bond and rent required
Recoverable assistance payment	If you are not on a benefit but on a low income	Help with rent and bond	Yes	Provide evidence of bond and rent required
Accommodation supplement	If your income and assets are lower than a certain amount. You may be on a benefit or a low income	To help with your rent, board or the cost of owning a home	No	Accommodation supplement goes up if your housing costs increase (within limits). If in a Housing New Zealand place, you do not get this supplement as you get income-related rent

\* How much? All amounts are guidelines only, not guaranteed – check with your case manager

<sup>1</sup> Re-establishment grant may also apply to people with children who have to move because of family violence and to refugees

<sup>2</sup> Special Benefit is being replaced by TAS; you can no longer apply for Special Benefit but there's a transition while some people are still on it

The letting fee that real estate agents charge (usually about one week's rent) is not generally covered as part of the standard bond and rent-in-advance payments.

Call the **0800 freephone number** (ph. 0800 559 009 from 7am - 6pm weekdays; 8am - 1pm Saturday) before seeing your DWI case manager to check out what help you may be able to get and to make sure you have the right papers with you for your appointment. Write down the name of the person you speak to and what they say. 0800 numbers are free from public phone boxes.

Make sure you **keep copies of everything** – DWI can supply free folders for receipts e.g. to assess disability allowance.

The **brochures** available at the local office often have detailed amounts so you know what you might get.

If you are a **non-English speaker**, there are 0800 numbers in languages such as Māori, Samoan, Tongan, Cantonese, Mandarin and Hindi. If you are **Deaf** or find it hard to communicate by phone there is a Deaf Link free-fax on 0800 621 621.

The website **[www.workandincome.govt.nz](http://www.workandincome.govt.nz)** also has detailed information. Check the section Manuals & Procedures (MAP) which has the eligibility criteria and payment amounts that guide your case manager. If you don't have internet access, you can use the job-search computers in Work and Income offices to look at their website or use the internet at your local public library.

### **Mental Health and Addiction Services - DHB Clinical and NGO Support Services**

Mental Health and Addiction Services are provided by the government through the DHBs (District Health Boards) who offer inpatient and community clinical services, including child and adolescent, adult and older persons' services, specialist kaupapa Māori and Pacific services. Non-governmental organisations (NGOs) offer a range of mental health services including accommodation, community support, employment, budgeting and living skills, social and recreational, anti-discrimination, Pacific and kaupapa Māori services.

- Clinical services are arranged by geographical area. If you want to stay with the current service, ask for a map of the area they cover so you don't move 'out of area'
- Check with clinical services whether there are NGO services they can refer you to that might help (eg a community support worker, an individual support package of care) – there are some services or programmes you can just go along to, others that need a referral
- If you are moving out of supported accommodation provided by an NGO, ask them for a reference – they are your current landlord and can outline whether you have been a good tenant. The reference doesn't need to be on their organisation letterhead
- Some services have lists of local boarding houses or accommodation providers you can ask for

- Support workers may be able to go with you to Housing New Zealand or Work and Income or to visit potential flats and landlords. Discuss with them what you want their role to be and how they can best support you
- Housing New Zealand may request information from mental health services to see whether you qualify for a house and sometimes mental health services may be able to write letters in support of your need to move (e.g. from a noisy or unsafe housing situation that is having a bad effect on your health)
- If you are on a sickness benefit because of an experience of mental illness, Work and Income will need you to provide regular medical certificates from your doctor or psychiatrist. When you initially apply, the first one can only be for four weeks, then your doctor can decide to sign further certificates for up to 13 weeks. You have to send the certificate to Work and Income within 7 days after your doctor has signed it
- If you qualify for invalid's benefit, you don't have to keep getting medical certificates from mental health services







**CHECKLIST:**

**AM I READY TO FIND A HOUSE?**

Type of place I want

---

Areas I'd like to live in

---

Savings for bond/ rent  
in advance/deposit

---

Amount of rent/board  
I can afford

---

Any debts to clear or  
credit problems?

---

Budget of other costs  
and expenses

---

Dealing with bank,  
Work & Income to  
arrange finance

---

Transport for looking  
at places

---

References for landlord

---

Access to Housing New Zealand

---

Furniture

---

Experience managing  
a home

---

Support people

---

Practice being interviewed  
by landlords/flatmates

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# Getting a House Te Whiwhi Whare

When I got my first flat after being in supported housing it was fantastic! I felt free to do whatever I wanted. Finally I could please myself and focus on what I thought was important. My flatmates and I had a lot of fun.

You have started looking at places and are ready to get one. What do you need to do next?

## **HOW MUCH MONEY DO I NEED?**

**The rent.** From your budget planning, you will know how much you can afford to pay in rent and how much you have saved for the initial costs of getting a place. Check all the moving-in costs before you sign a tenancy agreement – most rental properties require two weeks' rent in advance and up to four weeks' bond to be paid straight away. A real estate agent or rental agency will often charge one week's rent as a fee. If you are moving into a shared flat, check whether they want rent in advance and if you need to pay a part-share of the bond. If you are moving into private board or a boarding house, how much do you need to pay in advance?

**The bond.** The law requires that a landlord who takes a bond must lodge it with the Tenancy Services Centre within 23 working days of receiving it. There is a form you and the landlord must fill out before the money is sent to Tenancy Services (get a form from your local Tenancy Services office, from the website [www.dbh.govt.nz](http://www.dbh.govt.nz) or from 0800 83 62 62). Tenancy Services should send you and the landlord a letter confirming that they have received the bond money. The letter will also include a Bond Refund form that you both sign to get the bond back when you move out.

**'Key money'**. The landlord can also ask for a week's rent as a deposit for holding the house or flat, but this must be refunded or put towards the rent if you decide to take the place. A landlord cannot ask you for 'key money' – non-refundable money for the key to the house – nor for a deposit on any items that might be supplied with the house, like a lawn mower or washing machine.

**Power.** If you are getting an electricity or gas account for the first time, phone around different suppliers – some charge a bond (eg \$100 - \$150) that is refunded after 12 months if you have been paying your bills on time. Some don't charge a bond if you set up an automatic payment for your bill. Some allow a guarantor instead of a bond – someone who has been a good customer of that company for at least a year – to guarantee that you will pay your bills (and if you don't, they are responsible for the debt). An NGO or support organisation cannot act as guarantor, it needs to be a private individual who knows you.

**Phone.** Call Telecom on 123 to set up a phone account. There is no bond, but your first bill could be about \$120, including a standard connection fee of \$49, one month's rental in advance (about \$40) and rent from the connection day to the first bill. If you haven't had a phone with them before, they will do a credit check on you. If the phone is in your name, you are responsible for all bills. A cellphone can be an alternative but check costs carefully.

**Furniture.** Do you have what's needed for this particular place and will the furniture you have fit the space ok?

**Whiteware.** Do you need to rent or buy a fridge or washing machine or are they provided with the property? Is there a laundromat nearby? There is a legal requirement for the landlord to provide a stove but not other appliances.

**Shifting costs.** These will depend on how much furniture you have and how much help is available.

**Contents insurance.** Ring around insurance companies to find out costs of contents insurance – this covers your personal belongings. The landlord's insurance covers the land and buildings.

### **WHAT ELSE DO I NEED?**

**References:** It is helpful to have references from people you have rented from in the past, or, if you don't have a rental history, character references. If moving out of 'supported accommodation' ask the landlord to give you a reference (not on letterhead).

**Credit check:** If you have done your own credit check, you can feel confident that there will be no surprises.

**Support:** Who can help and in what way?

## **GETTING A HOUSE: HOW AGENCIES MIGHT HELP**

### **Housing New Zealand Corporation (HNZC)**

If you are eligible for a Housing New Zealand home and one has become available, you will be contacted by your Housing Needs Assessor. You will need to:

- Pay a bond
- Sign a tenancy agreement
- Inspect the property together with your Tenancy Manager so that you agree on its condition before you move in
- Arrange to pay the rent, power, gas and phone; insure your furniture and belongings in case of damage, fire or theft. Call your Tenancy Manager or phone 0800 801 601 for advice if needed.

### **Department of Work and Income (DWI)**

If you have found a place to live and want to apply for help with your bond or rent-in-advance, contact your case manager or ring the 0800 number (0800 559 009).

- Take the tenancy agreement to show amount of bond and rent-in-advance
- Remember to apply for the Accommodation Supplement – you will need up-to-date financial information (including of your partner if you have one) to apply. If you are moving into a Housing New Zealand house, you are not eligible for Accommodation Supplement
- Ask your case manager if you are eligible for a higher amount of advance or Special Needs Grant if you think you may have exceptional circumstances and there are essential costs that you must meet
- If you are moving after being in supported accommodation for at least six months, remember to apply for the re-establishment grant (see p. 13)
- If you find work, remember to let Work and Income know. They have access to Inland Revenue information so will find out later which can mean you end up having a debt to pay back. If you are on a sickness benefit, you can earn up to \$80 per week; if on invalid's benefit, it is \$100 per week; if on other benefits or supplementary assistance, check what the earning limits are.

### **Mental Health and Addiction Services**

- You may want your support worker or clinical worker to help with Housing New Zealand or Work and Income appointments to confirm arrangements for your new place.
- Some people find it is useful to get their support people together to be clear about who is helping and what they are going to do e.g. liaison between your Housing New Zealand tenancy manager, your clinical and support workers.
- Many NGOs offer employment training programmes or actively support transition to employment, which may help increase your income and make housing more affordable.



## Tenancy Services

Tenancy Services is a government agency that offers free advice and information to tenants and landlords about tenancy agreements, bond payments and sorting out disputes.

Tenancy Services can help you as a tenant when, for example:

- You and your landlord can't agree
- You can't get the landlord to fix things like the hot water, the stove or a leaking roof
- You are behind with the rent
- You want your bond back
- The landlord wants you to leave.

(from Tenancy Services - What to do when you're renting)

Tenancy Services give advice over the phone (ph 0800 TENANCY; 0800 83 62 62) or you can visit their offices (check local phone book) or website ([www.dbh.govt.nz](http://www.dbh.govt.nz)). They can arrange mediation or Tenancy Tribunal hearings if issues cannot be resolved.

The Tenancy Services Centre holds the bond on behalf of tenants and landlords. If you have questions about your bond, phone the Centre in Porirua on freephone 0800 737 666.

You or your landlord can get copies of a Residential Tenancy Agreement from Tenancy Services which includes a Property Inspection Report and the Bond Lodgement Form. Download the forms from the Tenancy Services website or get them from their offices or by phoning them.

## WHAT DO I NEED TO KNOW ABOUT THE TENANCY AGREEMENT?

The landlord has to give you a written Residential Tenancy Agreement. Give Tenancy Services a call to check it is legal. Tenancy agreements are either periodic or fixed term:

**Periodic Tenancy.** This lasts until either the tenant or the landlord gives notice (21 days' written notice from the tenant; the landlord has to give you 90 days' notice; or 42 days if the house has been sold or the landlord or his family are moving in).

**Fixed Term Tenancy.** This is for a set amount of time – for example, six months. You cannot give notice to leave before the agreed day and neither can your landlord. Tenancy Services suggest that you don't sign up for a fixed term unless you're very sure you will be able to stay and pay rent for that amount of time; however, fixed term also gives a feeling of security and being sure the place is yours for the term. After the fixed term is over, the tenancy ends, or another fixed term is set, or the agreement changes to a periodic tenancy.

Go through the tenancy agreement carefully, in terms of agreeing:

- The date the tenancy is to begin
- The date the tenancy will end (if it is a **fixed term** tenancy)
- Bond amount; rent amount and how often rent is to be paid; the place or bank account rent is to be paid into
- List of any chattels (like furniture, curtains and other fittings) provided by the landlord
- How many people are allowed to live at the property
- Who is responsible for cutting lawns or garden upkeep
- Whether you have to pay for metered water
- Whether or not pets are allowed – and sometimes it will be specified that a cat is permitted but not a dog, for example
- Other details such as where cars may be parked.

A **property inspection** should be done before you move in so that any wear and tear to the place is written down and signed by both you and the landlord. This prevents you being billed when you leave for any damage that you did not cause. A useful property inspection report is included in the Residential Tenancy Agreement. Some people take photos with a camera that records the date to have further evidence of the condition of the property when they moved in.

If flatting with others, check who should have their name on the Tenancy Agreement, as it is that person who is then considered responsible for everything. If more than one person signs, then you are **all** responsible – so if one person's not paying rent or damages the place, any of the other tenants who signed could end up paying for it. Up to four people can jointly sign a tenancy agreement.

**Address for service.** This is where mail can be sent about the tenancy even after you have moved out (eg to get your bond back); if necessary, use the permanent home address of friends/whānau or someone responsible who will pass on your mail. For both landlord and tenant, the address for service must be a physical address (eg if legal documents have to be served) and cannot be a PO Box.

### **WHAT ABOUT AGREEMENTS BETWEEN FLATMATES?**

Flatmates are not covered by the Residential Tenancies Act in the same way that landlords and tenants are, so it pays to talk through how the flat will run. The Citizens Advice Bureau suggests you might make an agreement in writing, including:

- How expenses such as food, electricity and telephone are shared
- How housework is to be shared
- What happens when friends stay for meals or overnight
- Flat rules about smoking, drinking or pets
- How much notice flatmates must give when moving out (e.g. two weeks).

(See [www.cab.org.nz](http://www.cab.org.nz) for this information)

Up to four people can sign the tenancy agreement and any one of them is therefore responsible for making sure the rent is paid and the conditions of the tenancy agreement are followed.

One day I was presented with this grocery bill and expected to pay half...I knew it was wrong...and I wanted to say something, but just couldn't. So the only thing I could do was to try and look for proof, so I opened the pantry and there were a couple of packets of two-minute noodles in there, and I said, "Where are the groceries?" and she said "They're there"...what she was doing was stashing them at her mother's.

To manage bills and kitty, some flats set up a flat bank account, into which everyone puts regular amounts and out of which phone, power and rent are paid by direct debit. This means there is a clear record of what has gone in and out of the account. You need to allow for the costs of bank charges to run the account. Another option is to have one person's name on the phone account or power bill and that person has to get the money off the others to pay the bill. If people don't pay, the person whose name is on the account will have to pay the whole bill. Being clear from the start about who's expected to pay for what and how receipts or records are kept helps prevent problems later.

### **WHAT ABOUT BOARDING AGREEMENTS?**

Boarders are not covered by the Residential Tenancies Act but here's a sample agreement to consider:

This is a boarding agreement between \_\_\_\_\_ (Board Provider) and \_\_\_\_\_ (Boarder).

1. Board of \$ \_\_\_\_\_ per week is to be paid one week in advance.

2. It is agreed that the weekly board payment will cover:

- Accommodation
- Food and preparation of meals
- Electricity/gas
- Use of telephone (boarder to pay for own toll and mobile calls)
- Use of laundry facilities (including washing powder)

3. It is agreed that the boarder will have exclusive use of their room and will be responsible for cleaning it. The boarder will also be responsible for cleaning the kitchen, bathroom and laundry facilities after using them.

4. Either party can end this agreement by giving two weeks' notice in writing.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

(from Mackenzie & Shirlaw, p.188)

## **WHAT ARE MY RIGHTS?**

At this stage in getting a property, you have a right to expect:

- A copy of the tenancy agreement signed by the tenant/s and landlord before the tenancy starts; and that the bond money will be sent to the Tenancy Services Centre
- That the property is 'clean and in a fit and habitable condition at the beginning of the tenancy' (Dept of Building & Housing, 2005, p.2). Going through the property inspection together with the landlord is a good way to make sure you have recorded the state of the property before moving in
- That the locks and fastenings are adequate
- That no more than four weeks' bond and two weeks' rent in advance is to be paid to the landlord. There may be an additional 'letting fee' to a real estate or rental agent. If the landlord is requesting illegal 'key' money or non-refundable deposits, check with Tenancy Services (0800 83 62 62)
- That the landlord will not enter the property except as permitted by law, nor will they interfere with the 'reasonable peace, comfort and privacy' of the tenant.

More details on the rights and responsibilities of both landlords and tenants in order to keep a good ongoing rental relationship are outlined in the **Keeping a House** chapter below.

## **WHAT ABOUT DISCRIMINATION?**

You have a right to be free from discrimination and unfair treatment in getting a place to live. For example, a landlord cannot decide not to rent a property to you because you are of particular ethnicity or because you are on a benefit or because you are a relative of someone they know. Under the Human Rights Act (1993), it is unlawful to discriminate against a person on the grounds of:

- Colour, race, ethnic or national origins
- Age
- Employment status (including being unemployed or on a benefit)
- Disability (including an experience of physical or mental illness or loss of function)
- Religious beliefs, ethical beliefs, political opinions
- Marital status (e.g. whether single, divorced, living with a partner)
- Family status (e.g. being responsible for children full-time or part-time, being a relative of someone)
- Sex, including pregnancy
- Sexual orientation

These grounds apply to your past, present or assumed circumstances. The Human Rights Commission states:

**It is unlawful to discriminate against someone because they have a mental illness, had a mental illness in the past, or are incorrectly assumed to have a mental illness.**

(Fact Sheet 05, HRC)

My daughter is Pakeha and lives with a Samoan-born New Zealander – she noticed if they both rang up about the same flat, she would be given an appointment to view it; he would be told the flat had already gone. They knew it was based on his accent and name, but how do you prove it? So they just make sure that she's the one who phones about flats...

However, in reality there are prejudiced people and sometimes you have to find ways to deal with that, including thinking about how much you need to disclose about yourself.

Check with Tenancy Services (0800 83 62 62) or the Human Rights Commission (0800 496 877) if you want to make a complaint about discrimination.

### **DO I HAVE TO SAY ANYTHING ABOUT EXPERIENCING MENTAL ILLNESS?**

You do not have to say anything about your experience of mental illness. As outlined in the Human Rights Commission information:

**No one can lawfully refuse to...rent you residential accommodation or supply [it] to you on less favourable terms and conditions, treat you differently, or make you leave any accommodation because of any of the grounds of unlawful discrimination [such as an experience of mental illness].**

(Fact Sheet 05, HRC)

Why would anyone tell their landlord their health issues? It's just not necessary so it has never applied to me.

I don't mind divulging information about my illness as long as there's no stigma attached. If it's looked at as just an illness like diabetes ... sweet. If it's 'Oh, he's a weirdo', then, No.

Being under a lot of pressure, and not wanting to disclose what is going on, you come across as a suspicious character – paranoid... flatmates would think I was a little too vague...distant.

My best experience was answering an ad in the newspaper and going and meeting the two women and I decided I needed to tell them I had bipolar as I had been extremely unwell the year before and I felt this could impact on us flatting together. They said they would like to sleep on it and the next day they said yes. That was a big morale booster and we had a great year together.



Sometimes there is discrimination about 'being on a benefit' and assumptions that your income will be too low to manage the rent. It is good to think about what you will disclose about your employment status e.g. confidently stating, "I have applied for this property because it's within my price range and I can afford to pay the rent you are asking - do you have the account number I should set up the automatic payment for?"

It can be useful to think through responses to questions about your health, financial or employment status, to know your rights and what you feel comfortable saying. If necessary, practice with a friend or support person. References or guarantors will help to overcome any concerns a landlord may have.



### **WHAT DO I NEED TO ARRANGE BEFORE I MOVE IN?**

<input type="checkbox"/>	Phone / power / gas / water
<input type="checkbox"/>	Change of address - go to your nearest Post Shop and fill in a change of address form. This will redirect your mail from your old address to your new address for two months. After two months, there is a charge to continue redirections (\$30 for two more months, \$45 for four months). There are also freepost cards to fill in and send to family and friends, businesses and organisations that send you mail, so mail doesn't keep going to your old address
<input type="checkbox"/>	Moving or buying furniture/whiteware
<input type="checkbox"/>	Insurance - if you have contents insurance already, let the company know you are moving; if you don't have it, ring around for quotes to find something affordable
<input type="checkbox"/>	Transport/help shifting in - cost of hiring trailers if needed
<input type="checkbox"/>	Timing - quickly or can I take my time?
<input type="checkbox"/>	Arrangements for children/whānau?
<input type="checkbox"/>	Pet shifting
<input type="checkbox"/>	Flatmates at same time?
<input type="checkbox"/>	Pack an 'overnight bag' of essentials - some clothes, toothbrush, medication - so you can avoid losing things the first few days
<input type="checkbox"/>	Pack in labelled boxes that name the room they belong to
<input type="checkbox"/>	Karakia / blessing / cleansing rituals - are there some special ways to mark this transition; invite kaumatua, special people to share the event with you?



**CHECKLIST:**

**AM I READY TO GET A HOUSE?**

Rent in advance (up to 2 weeks)

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Bond (up to 4 weeks' rent)

---

Real estate agents' fee  
(e.g. one weeks' rent)

---

Tenancy agreement

- Fixed or periodic?
- How many people can live at the address?
- Are pets permitted?
- Who is responsible for lawns/ gardening?
- Payment for water
- Any other conditions?

Property inspection report done?

Bond lodgement form signed by you and landlord?

---

Utilities – phone, power, gas, water – connection fees? Bonds? Guarantors needed?

---

Furniture and household goods needed?

---

Whiteware – fridge, washing machine

---

References? Credit check?

---

Flatmates/Boarding – how much rent/board in advance? How much notice? Agreements re bills?

---

Aware of rights re discrimination, disclosure of mental illness, questions about employment or income and responses to these?

---

WHAT SKILLS, RESOURCES &  
SUPPORTS DO I HAVE?

WHAT DO I NEED?




# Making the Move!

Moving house can be tiring, exciting, hard work, stressful and fun. Who can help you to move?

- Pace yourself
- Set up the bed first, so you can at least have some sleep amidst the chaos of boxes
- Have simple food ready to eat so you maintain energy; keep everything you need to make a cuppa with you so that you know where it is when you arrive at your new house
- Have your overnight bag of essentials handy, including medication
- Don't overdo it – you don't have to unpack and set up everything on day one – it is good to take your time thinking about where you want things to go or how to arrange furniture to suit you
- Consider a transition period where you can move in slowly, if it is possible to arrange it that way
- Organise your supports if possible, so some can help with transport, carrying things, others with cleaning or unpacking, or with food to follow the karakia/blessing ceremony.











# Keeping a House Te Tiaki Whare

When I got my own place I could arrange everything the way I liked it and gradually I got my own furniture which was a great achievement. I really enjoyed creating a garden and watching everything grow – it was something I created and it felt fantastic!

Now that you have the keys and have moved in, what can you do to make the place secure and comfortable for yourself – to make it feel like a home?

## **WHAT ABOUT THE MONEY?**

It can be difficult sustaining a house on a low income - managing your budget is crucial to keeping your housing. This can be helped by continuing to see a budgeter (their services are free). Here are some budgeters' ideas for ongoing bill paying and budgeting:

Every little bill I have got goes out automatically, I don't touch it. I have done that for a few years now and it's the best way.

**Monthly amounts.** Divide monthly bills into weekly or fortnightly amounts (depending on whether you are paid weekly or fortnightly) and set up automatic payments, or pay direct either at a Post Shop or at the company's office every pay day. For example:

Average Bill Total	Monthly	If You Get Paid Fortnightly	If You Get Paid Weekly
Power Bill: about \$100 per month	\$100	Pay \$50 each time you are paid	Pay \$25 each time you are paid
Contents Insurance: \$520 per year	\$43.34	\$20	\$10

Paying regular amounts on your power bill like this also means you may have some credit available during the winter months when you use more power.

**Keep records.** Keep a record of what you are spending. Use a filing system, e.g. an Arch Lever file, cardboard box or an exercise book. Write down each time you use your eftpos card. Keep all receipts, bills paid, bank statements, and letters to or from Work and Income.

**Eftpos cards.** Each time you use your eftpos card, it costs you money. Check with your bank what their charges are; check other banks to see if you can get cheaper fees. Work out your weekly costs - what has to be paid and how much is left for other items like groceries. Only withdraw the amount you have budgeted for. Go to the supermarket/ dairy only once a week. If you run out of things put it on the list for next week.

**Buying using credit** e.g. Hire Purchase, Credit Cards, Bank Loans. Wherever possible, try not to buy on credit. The final cost, including interest, will double the price of the goods you are buying. Can you save up for it, buy it secondhand or on sale? You can arrange with the bank to limit your credit, so you don't get offered more. It's useful to get any loan/credit documents checked by someone else before you sign. Beware of going as a guarantor for someone else - legally you will be responsible for the debt.

**Savings.** Try to save a small amount each week e.g. as little as \$5.00. Aim to pay off credit card debt to reduce money being wasted on interest.

(with thanks to Auckland Central Budgeting Consultants)

## **HOW CAN I KEEP MY PLACE FEELING GOOD?**

Finding out details you need to know will help the settling-in process:

- What day is rubbish collected? – call the council or ask the neighbours
- Where's the nearest supermarket? Transport to get there?
- What community resources are nearby – libraries, community centres, marae, sports centres, churches?
- Are there 'body corporate' meetings or rules to be aware of? (This mostly applies to apartments – the 'body corporate' manages the overall building and might have rules about visitor parking, after-hours access or noise)
- Who are my neighbours?
- Do I have a list of contact numbers and account numbers for power, gas and phone for easy access if there's a fault, question or supply problem; other useful numbers (neighbour, plumber) as needed?

There can be problems with people visiting your home or staying with you. It is helpful to have a clear plan about how you will deal with visitors.

Consider:

- How do I feel about visitors?
- What about people coming to stay?
- If I'm uncomfortable about someone who's at my place or what they're doing, what can I do?
- What about disturbances in the neighbourhood?
- Who can I call if feeling lonely or frightened?
- What do I do if it's not working out with flatmates, for example a flatmate's friend is staying, eating all the food and not contributing to the bills?
- Have I got my supports organised?
- If someone moves in with me, could I lose my place?

Those neighbours won't take no for an answer...they're knocking on the door and I won't let them in and they go to the phone and ring me, 'Oh, you are home and we'll see you in a minute for a cup of tea.' They don't ask and if I say, 'I don't have any tea bags' they go and get two tea bags for themselves and sit there while I make it!

Only have visitors that you like and who won't take advantage of your generosity and who behave well.

See also the section below, **What do I do if there is a dispute?**

## **WHAT ARE MY RIGHTS AND RESPONSIBILITIES?**

The Residential Tenancies Act (1986) sets out the law on the rights and responsibilities of both tenants and landlords. Here are some of the main points:

### **TENANT**

- Pay the rent on time
- Keep the property reasonably clean and tidy
- Tell the landlord as soon as possible of any damage or repairs needed
- Repair or pay for repair of any damage caused intentionally or carelessly by you or your friends
- Do not change the locks without the landlord's permission
- Pay all charges for electricity, gas, metered water (if provided for in the Tenancy Agreement) and telephone
- Make sure there aren't more people staying at the property than is allowed in the Tenancy Agreement (except for short-term stays by relatives or friends)

### **LANDLORD**

- Give you receipts for rent paid in cash
- Maintain the property in a reasonable state of repair during the tenancy
- Do any necessary repairs and give you 24 hours' written notice of entry to repair. Pay you back for any urgent repair work you paid for (so long as you tried to let the landlord know first)
- Pay for rates, premises insurance, land tax
- Make sure locks and fastenings are adequate; do not change locks without your consent
- Must not interfere with your gas, water, electricity supply or telephone
- Take reasonable steps to ensure that you aren't disturbed by their other tenants

cont'd

## TENANT

Do not unreasonably refuse the landlord entry when entitled to enter (eg for property inspection)

Do not interfere with the peace, comfort or privacy of other tenants or neighbours, or permit anyone else at the property to do so, or permit the property to be used for any unlawful purpose

## LANDLORD

Must not enter the property except as permitted by law (with written notice) or with the tenant's consent

Must not harass you or interfere with your 'reasonable peace, comfort and privacy' or allow others to do so

(Dept of Building & Housing, 2005)

If you are unsure whether these rights and obligations are being met, check with Tenancy Services (ph. 0800 83 62 62).

If you are flatting or boarding, consider how these rights and obligations might apply – there are not the same legal requirements, but it may be good to have a conversation with flatmates or your board provider about what is expected.



**Flat inspections.** The landlord (whether private or Housing New Zealand) is entitled to regularly inspect the property. They must give at least 48 hours' written notice of coming onto the property. A flat inspection is also an opportunity for you to let the owner know about any maintenance needs, e.g. pointing out where paint is peeling or the fridge seal is getting worn – this allows them to maintain the quality and value of their asset (and there are tax benefits for spending money on 'repairs and maintenance' against the income they get from your rent, so they always need to keep receipts of work done). If you need any work done at the property outside of inspection time, ring your landlord and keep notes of what was agreed, including time taken to complete the work. A record of contact may help you if you have any disagreements with your landlord about maintenance issues at a later date.

Flat inspections cannot be more than once in four weeks, except to check on work done by the tenant. Housing New Zealand generally aim to do an inspection together with you before you move in and again six weeks after you've moved in.

## WHAT IF MY RENT OR RESPONSIBILITIES CHANGE?

**Rent increases.** The landlord cannot increase the rent for six months after you move in and has to give you at least 60 days' (two months') written notice of a rent increase. Rent cannot be increased more than once every six months. If you have a fixed term tenancy, rent cannot be increased for the period of the fixed term unless that has been written into the agreement.

**Housing New Zealand rent changes.** If your circumstances change (e.g. your income, employment, relationship, assets, boarders or flatmates, the birth of a child), your income-related rent may need to change. If you are eligible for a rent decrease, that will take effect immediately. If

your rent is going to increase, you will be given 60 days' notice. Also, remember you have to reapply for income-related rent every year – Housing New Zealand will start sending reminder letters three months before to give plenty of time to apply. If you don't reapply, the rent will go up to market rent.

**Objecting to rent rises.** If you think the landlord is increasing the rent too much, you can apply to the Tenancy Tribunal for a market rent assessment (call Tenancy Services ph. 0800 83 62 62); or if it is a Housing New Zealand property, you can request a review (talk to your tenancy manager or call 0800 801 601; see the Factsheet **Reviewing decisions and making complaints**).

**What if I get behind with the rent?** Preferably talk to someone before you are unable to pay your rent – the earlier the better. Talk to someone who could help you sort it out, such as Tenancy Services, Work and Income, your clinical or support worker, friends/whānau, budgeter. Talk to the landlord and see if you can make an arrangement.

*Most landlords are understanding if you have a good reason for paying the rent a little bit late. Often you can pay back the rent owing by adding an extra \$10 or so to your weekly rent until the debt is cleared.*

If you get more than 21 days behind in paying rent, the landlord can apply to the Tenancy Tribunal to have your tenancy ended. If your tenancy is ended, you will be given a few days to leave the property. The landlord cannot physically throw you out – only a Court bailiff may evict you by order of the Tenancy Tribunal.

**What if a flatmate has gone, still owing rent?** If your name is on the Tenancy Agreement, you are responsible for the rent. If a number of you signed the agreement, you will have to share the debt left by that flatmate amongst you. Talk to the landlord if necessary; figure out options with your support people including Work and Income; see if you can get hold of the person to persuade them to pay their debts. Depending on the size of the debt, it could go to a debt collection agency (they charge a percentage of the debt as their fee) or to the Disputes Tribunal (which can be contacted through your local District Court). Citizens Advice Bureau or community law centres could advise you.

**Other changes to tenancy agreement conditions.** If you agreed to mow lawns but no longer wish to, check your options – could a friend lend a hand, can you discuss it with the landlord and agree to a change? Similarly, if you want to make changes to the number of people living in the property, children, whānau, or pets, check with the landlord and make agreed changes in writing, so you do not put your tenancy at risk.

### **WHAT CAN I DO IF THERE IS A DISPUTE?**

Tenancy Services suggest that if you have a hassle with the landlord or they have a hassle with you, you should contact Tenancy Services to check your rights, and then see if you can talk to the landlord to sort it out. Think about support people who could help you if necessary.

If talking about it doesn't resolve the dispute, a '**ten-day notice to remedy**' is a letter that either a landlord or a tenant can send, explaining what is wrong and giving the person ten working days

to sort it out. Tenancy Services have sample letters. A landlord might send a 10-day letter regarding unpaid rent or the garden being overgrown; a tenant might send a 10-day letter about a repair that hasn't been done or that the 'quiet enjoyment' of the tenancy is being disturbed.

If you still can't agree, check with Tenancy Services about applying for Tenancy Tribunal help to sort out the dispute – it costs \$20 to apply. The first step is mediation, where a mediator meets with you and the landlord to hear the problem and figure out ways to solve it. If you and the landlord agree, the mediator writes out your agreement as legally binding and there's no need to go to court. If you can't agree, the matter could be taken up to the Tenancy Tribunal, which is like a court for landlords and tenants.

**'Retaliatory notice'**. Sometimes tenants are reluctant to enforce their rights because of the fear of being evicted if they 'cause trouble'. This is known as 'retaliatory notice' and the Residential Tenancies Act aims to protect tenants from it. If you approach the landlord about a problem and the landlord responds by giving you notice, check with Tenancy Services and it may be that an order can be issued to say that the notice will have no effect and the tenancy will continue. You need to contact Tenancy Services within 14 days of being given notice to apply for a retaliatory notice consideration.

**Housing New Zealand.** If your landlord is Housing New Zealand and you are having a dispute with them, firstly talk to your Tenancy Manager or phone the 0800 number (ph 0800 801 601). You might also talk to the Housing Services Manager or the Regional Manager. If the dispute is about your income-related rent and is still not resolved, you can apply in writing for a review from the HNZA Review Office and ultimately the State Housing Appeals Authority. For other matters, you can also contact Tenancy Services as an independent body and use mediation services, as with any other landlord. Check with Citizens Advice Bureau or support people to explore your options.

**Flatmates/Boarders.** As flatmate and boarding arrangements are not covered by the Residential Tenancies Act, there are not such clear legal means to resolve disputes. Citizen's Advice Bureau make the following suggestions:

- Problems are best dealt with using practical common sense solutions - talk things through, perhaps first with a friend or support person so you are clear on what the problem is and what you want to say
- Consider a flat meeting: Plan an appropriate time and place to talk, be clear about the problem and the effect it is having. Give everyone a chance to explain their side of the issue. Agree what action is needed to resolve things and when and where to meet again to see how things are going
- If still unresolved, then it is probably time for a third person to mediate, or if the matter is really serious, for someone to move out
- Disputes can be taken to the Disputes Tribunal - for example if there is a dispute about damage to property, failure to supply promised services, or about amounts of money owing



- In extreme cases where a boarder or flatmate refuses to leave, a trespass notice could be served (check with a Citizens Advice Bureau, community law centre or community constable on how to do this) and if necessary, police can be called to have the person removed from the premises.

(see [www.cab.org.nz/information/Renting.html](http://www.cab.org.nz/information/Renting.html))

Remember that day-to-day hassles can be a normal part of flatting and have nothing to do with 'mental illness' – don't assume things are your problem or your fault. Many flats have disagreements about shopping or housework or visitors from time to time.

**Friends/family who won't leave.** Another problem that is not covered by the Residential Tenancies Act is disputes about people who are staying with you who are causing problems or are refusing to leave. 'Hangers-on' can be a big problem, especially where tenants might have wanted a one-bedroom place, but with those in short supply, have ended up with a spare bedroom, a situation that others then take advantage of. Hangers-on who cause property damage, make excessive noise and do not pay towards rent or bills have caused people to lose their flats, whether with private landlords or Housing New Zealand, as it is the tenant who is held responsible for what is happening. As with other disputes, see if it's possible to talk through the problems; know your rights and get support people to help you; and if necessary consider trespass notices and police help. Community constables can be really helpful.



## WHAT ELSE CAN I DO TO MAINTAIN MY HOUSE?

The following covers some common housing problems and thoughts on solving or preventing them.

ISSUE	TROUBLESHOOTING
Lost house key/locked myself out	<p>Key well-hidden outside</p> <p>Someone you trust has a spare key</p> <p>Contact landlord</p> <p>Housing New Zealand does not hold spare keys and you may have to get a new lock and keys at your own expense if you lose yours</p>
Power not working	<p>Check fuse box</p> <p>Have power company name, number &amp; your account number handy – check bill payments as you may have been disconnected</p>
Problems with water/plumbing – floods, overflows, blocked drains, sewage, dripping taps	<p>Know where to turn water off</p> <p>Contact numbers and account number for water company</p> <p>Landlord is responsible for toilet/sewage problems; tap washer maintenance; washing machine repair (if it belongs to landlord); landlord insurance to cover cost of drying out carpets if flood</p>
Fire/smoke alarms	<p>Check smoke alarm batteries every 6 months</p> <p>If no smoke alarms, ask landlord if some can be put in</p>
Problems with neighbours	<p>Talk to them if possible; get help to resolve the issue; if you both have the same landlord/Housing New Zealand, see if they can help; if problems with late-night noise or animals, contact council (Noise Control, Dog Control); if unlawful activity/danger, call police</p>
Element on the stove has stopped working; other appliance repairs	<p>Landlord responsibility to maintain working stove.</p> <p>If landlord supplied washing machine, fridge, then they are responsible for maintaining them; otherwise it is up to you</p>
Broken window	<p>If broken by you/your visitors, you have to get it fixed.</p> <p>If by reasons beyond your control (wind, burglary), landlord has to fix it (burglary requires police report)</p>

## HOW DO I PREVENT HOUSING LOSS WHEN UNWELL?

There can be problems keeping your housing at stressful times, especially if you have to go to hospital for a while. This sometimes relates to practical issues like the landlord thinking the property has been deserted because the tenant isn't there. There may be discrimination from flatmates/landlords, lack of co-ordination between services, and loss of income that may make keeping housing difficult.

Make a plan in advance to ensure that:

- Rent and bills are paid – a lot easier if everything is on automatic payments
- Rubbish is put out
- Mail is cleared
- Pets are looked after
- Lawns are mowed (if applicable)
- Landlord is informed that the house has not been deserted (if away for more than a couple of weeks)
- Plans need to include care of children and other whānau responsibilities as relevant.

A friendly neighbour may be happy to feed pets and clear the mail. There is no need for neighbours to know anything more than you are going to be away for a while.

If you are on a benefit and in hospital for more than 13 weeks, the benefit drops to the 'hospital rate' of \$31.85 per week (as at 1 April 2006). This could seriously threaten your ability to pay for your housing. There needs to be co-ordination between your supports and services to prevent housing loss. Similarly, if you are off work for an extended period, the security of your job and income may be under threat. Work and Income TAS or recoverable loans may be available. Have liaison meetings with your support people from mental health services, Work and Income and Housing New Zealand to plan and be clear on who is responsible for what in the event of emergencies.

*We need some sort of security about housing, protecting our housing when we get unwell – it's one less thing to worry about. You can focus on yourself, not have to worry about your house.*

*I was really lucky – a friend sorted out getting my house rented, organised my kids into care while I went into hospital. I wouldn't have got this help from mental health. We would have lost our home if it wasn't for our bank manager.*



## **KEEPING A HOUSE: HOW AGENCIES MIGHT HELP**

### **Housing New Zealand Corporation (HNZC)**

- Keep in touch with your tenancy manager if you are concerned about the behaviour of someone staying at your house – it's better they hear it from you than from an angry neighbour
- If the house is not working out (e.g. because of location, noise, neighbours), discuss this with your tenancy manager for ideas on problem-solving (there are waiting lists and shortages in many areas so transfers are usually only possible if there are urgent health and safety concerns)
- If you are having trouble with paying rent, let your tenancy manager know straight away
- You must reapply for income-related rent every year so your rent doesn't go up to market levels
- Consider involving your tenancy manager (if appropriate) in co-ordinated planning and 'future-proofing' with your supports to manage when you are having an experience of mental illness

### **Department of Work and Income (DWI)**

- Special Needs Grant – e.g. a window has been accidentally smashed; there are young children on the property who could fall out; the repair may be seen as an emergency covered by this grant
- If you are having trouble paying the rent or have unexpected bills, get in touch with your case manager to see how they can help or check with the 0800 number for advice. Ask about applying for Temporary Additional Support (TAS)
- It may be possible to pay rent direct to the landlord from your benefit – this is called a redirection of benefit – talk to your case manager
- If your relationship status changes – e.g. you start to live with a partner or your relationship ends and your partner leaves – check how your eligibility for benefits change
- If you start to work or study and you have dependent children, check with Inland Revenue (ph 0800 227 773) to see if you can get the 'In-Work' payment and Family Assistance
- If you need to apply to the Tenancy Tribunal to resolve a problem with the landlord, you can apply for a recoverable advance benefit payment to pay the \$20 fee
- There are other benefits for different circumstances e.g. if you lose your job, separate from your partner, are widowed, or unable to support yourself or your family due to circumstances beyond your control. Extra assistance is available such as Disability Allowance, Child Disability Allowance, Unsupported Child's Benefit, Child Care and Oscar Subsidy, Accommodation Supplement and Temporary Additional Support. This list

is not exhaustive so ring the 0800 number to see if you qualify for help, based on your circumstances, residency, income and assets.

### **Tenancy Services**

- Call Tenancy Services on their freephone number (0800 83 62 62) if you have any queries about your rights and responsibilities, ten-day letters or retaliatory notice
- If you're having trouble paying the rent, contact Tenancy Services early for ideas on how to discuss this with the landlord.

### **Mental Health and Addiction Services**

- Plan ahead with clinical and support workers on how they will support you if you have an experience of mental illness that affects your capacity to work, your ability to take care of your children or pets, or to manage your housing or financial responsibilities
- Clarify confidentiality and who should not be informed of your circumstances
- If on a benefit, continue exploring work options to ease the financial pressure of keeping a house e.g. NGO transitional employment programmes







**CHECKLIST:**

**AM I READY TO KEEP A HOUSE?**

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Budgeting and bill paying

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Getting to know my community & neighbourhood

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Knowing my rights and responsibilities as a tenant and what to expect from the landlord

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Plans to deal with rent hassles or rent increases

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Planning for dealing with disputes – with the landlord, with flatmates, with others

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Planning for times when I need to be away from home or am less able to manage everything

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What I have to know about moving out, giving notice and getting bond back

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My rights if landlord is selling

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WHAT SKILLS, RESOURCES &  
SUPPORTS DO I HAVE?

WHAT DO I NEED?

WHAT SKILLS, RESOURCES & SUPPORTS DO I HAVE?	WHAT DO I NEED?



# Moving On!

When you decide to move to another place or you are given notice by the landlord, there are a number of legal rights under the Residential Tenancies Act.

## **HOW MUCH NOTICE IS REQUIRED?**

- By law, a tenant must give a landlord at least three weeks' notice in writing (21 days) before moving out
- A landlord must give a tenant at least 90 days' (three months') notice in writing
- However, if the property is sold, then the notice period is at least six weeks (42 days). If the property is needed by the landlord to move into, or for the landlord's family members or employees, then the notice period is also six weeks (42 days)
- If the landlord has given notice, and you want to move out sooner than the final day, you still have to give 21 days' written notice. Sometimes a landlord will not mind a tenant leaving earlier but this must be agreed between you in writing
- A fixed term tenancy does not require further notice in writing, because the end date is in the tenancy agreement. However, it is always a good idea for the landlord and tenant to check with each other nearer the time about what is intended to happen at the end of the fixed term, as often it continues on into an ordinary periodic tenancy. A fixed term tenancy cannot be ended before the term is complete, without the agreement of both parties, or by an order from the Tenancy Tribunal.

(see Dept of Building & Housing, 2005)

There are no notice periods set by law for boarders or flatmates, so it is important to have agreed those when first moving in. At least two weeks – or the usual rent/board period – is common in giving notice in flats. Check with Citizens Advice Bureau, community law offices or student accommodation advisors for more ideas.

### **HOW DO I GET MY BOND PAYMENT BACK?**

At the end of the tenancy, all the bond money will be paid back to you if the rent has been paid and there is no property damage or other claim by the landlord. If rent is owed, or there is property damage, the landlord may get some or all of the bond money. Either you or the landlord can apply to have the bond refunded by filling out the Bond Refund form, which must be signed by both the landlord and tenant. Bond refunds are available only from the Tenancy Services Centre - if you have a dispute over the refund of a bond, call them on 0800 83 62 62 for help.

By law, when tenants move out, they must:

- Move out by the date set out in writing (either the end of the fixed term tenancy or the notice period)
- Pay the rent up to the last day of the tenancy
- Leave the house reasonably clean and tidy
- Remove any rubbish or arrange for its removal by the last day of the tenancy
- Return all keys, pass cards or security devices
- Leave any chattels belonging to the landlord at the property.

The landlord can claim part or all of the bond if you don't do these things.

### **WHAT IF THE LANDLORD IS SELLING THE HOUSE?**

If the property you're renting goes up for sale, the landlord has to let you know. You then need to work out suitable arrangements for showing the house or flat to prospective buyers – you don't want real estate agents showing up any time, but you also have a legal requirement to give 'reasonable access' to agents and buyers in this situation. Talk about 'Open Homes' and other arrangements to accommodate both of your needs.

If it is a fixed term tenancy, you are entitled to stay on until the end of that term under the same conditions, even if the house sells and there is a new owner. If it is a periodic tenancy, the landlord can give you 42 days' notice in writing (not the usual 90 days) to move out as the place is being sold. If the new owner wants you to stay on as their tenant, you need to agree the conditions of the tenancy agreement and make sure the bond gets transferred using a Change of Landlord form. For further information check with Tenancy Services.



## **CAN I BUY MY OWN HOME?**

This guide has focused mostly on renting property. Here are a few resources to help you if you are considering buying a house of your own.

As with renting, one of the first questions needs to be, 'How much can I afford?' Good budgeting, clearing debts and a good credit rating will all count towards home ownership. Housing New Zealand have put out a useful guide, **Thought about owning a home? A general guide to home ownership**. Ask for a copy at the Housing New Zealand office or see [www.welcomehomeloan.co.nz](http://www.welcomehomeloan.co.nz). It covers:

- Working out a budget
- The actual costs of buying a home
- Annual costs of owning a home
- Arranging finance
- House hunting
- Making an offer

It also includes a list of common terms that are good to understand before you start to think about buying a property.

Another useful guide is **A resource for people looking to buy a house** (produced by Kites). It includes a section on **Barriers to home ownership for mental health consumers** such as discrimination, insurance issues, and credit history and some ways to address them. In terms of insurance, the resource points out:

**Be aware mental health consumers sometimes find themselves having to pay higher premiums for mortgage protection insurance based on their medical status. This is an extra cost to you as a homeowner and it is therefore important that you shop around for the best deal you can find** (p. 24).

To get a copy of the guide, see the Kites website [www.kites.org.nz](http://www.kites.org.nz) or ph. 04 384 3303.

The 'Welcome home loan' is a Housing New Zealand supported scheme to make home ownership more possible for some New Zealanders, including low-income earners who do not have much capacity to save a deposit for a house. Check their criteria by phoning 0508 935 266 or see the website [www.welcomehomeloan.co.nz](http://www.welcomehomeloan.co.nz).

Other agencies that might help include Community Housing Aotearoa, Incorporated (CHAI), Nga Wharerau o Aotearoa. See their website on [www.communityhousing.org.nz](http://www.communityhousing.org.nz).

**USEFUL CONTACTS (ADD YOUR OWN LOCAL CONTACTS)**

NAME	ADDRESS/WEBSITE	PHONE NUMBER
Community Law Centres (via the Legal Services Agency)	www.lsa.govt.nz	Has address lists/phone numbers for local centres
Citizens Advice Bureau	www.cab.org.nz	Ph 0800 FOR CAB (0800 367 222)
Department of Work and Income	www.workandincome.govt.nz Case manager name: <input type="text"/>	Ph 0800 559 009 My local office: Ph <input type="text"/>
Housing New Zealand Corporation	www.hnzc.govt.nz Tenancy manager name: <input type="text"/>	Ph 0800 801 601 My local office: Ph <input type="text"/>
Mental Health and Addiction Services	Clinical worker name: <input type="text"/> Support worker: <input type="text"/>	My local centre: Ph <input type="text"/>  Ph <input type="text"/>
Medical Centre/GP	GP name: <input type="text"/>	Ph <input type="text"/>
Tenancy Services	ww.tenancy.govt.nz	Ph 0800 83 62 62 Bond Centre ph 0800 737 666

Budgeting Service	Name: <input type="text"/>	Ph <input type="text"/>
Community Centre/Library		Ph <input type="text"/>
Community Constable	Name: <input type="text"/>	Ph <input type="text"/>
Electricity/Power Company	Account number: <input type="text"/>	Ph <input type="text"/>
Gas Company	Account number: <input type="text"/>	Ph <input type="text"/>
Insurance Company	Account number: <input type="text"/>	Ph <input type="text"/>
Landlord	Name: <input type="text"/>	Ph <input type="text"/>
Phone Company	Account number: <input type="text"/>	Ph <input type="text"/>

## **REFERENCES / OTHER RESOURCES**

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Department of Building and Housing. (2005). **Renting and you – a guide to the law about renting.** Wellington: Tenancy Services. See also [www.dbh.govt.nz](http://www.dbh.govt.nz).

Housing New Zealand Corporation. Has a wide range of leaflets and information on all aspects of tenancy, care of the home, rights and responsibilities.

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# A Place to Live He Wāhi Noho

