

OPEN

MINUTE ITEM

ATTACHMENTS

Ordinary meeting of the
Planning and Regulatory Committee

Thursday 21 April 2016
Commencing at the conclusion of the Governance Committee
Council Chamber

Civic House

110 Trafalgar Street, Nelson

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*Introductory offer for Bayleys landlords

A1537774 Mary-Ellen O'Connor, Karena Shannon and Tonia Allen
Public Forum
Planning and Regulatory Committee
21 April 2016

- 5.2 Contact was made with the Otago University team that ran the pilot study in 2014 and as a result some concerns have been raised which are summarised below in Table 1.

Table 1.

Item	Discussion point	Concern
1.0	Legislation to enable enforcement.	<p>Otago University has cited two pieces of legislation to cover the warrant of fitness:</p> <p>The Housing Improvement Act 1947</p> <p>Building Act 2004 –under s124 (Dangerous and Insanitary Properties) This is really reserved for severe circumstances.</p> <p>Enforcement options are limited under these statutes and it would appear owners can only be advised. Actually requiring them to do the work would be difficult to enforce</p>
2.0	Recovery of costs for the work to provide this service.	<p>The Local Government Act requires the recovery of costs to be by the way of Special Consultative Process or a bylaw. The legislation cited by Otago University has no mechanism for cost recovery for a warrant of fitness for rental housing.</p>
3.0	Impact on lessees.	<p>The situation where people lease low cost property is usually as a result of limited financial means. If Landlords are required and do upgrade facilities then it is possible the costs will be on charged to the lessees. This potentially may mean the accommodation is no longer financially viable for them.</p>

- 5.3 The idea of warrants of fitness is supported however, there are concerns around the legislation being used, cost recovery and potential impacts on lessees. It would seem prudent to assess the success of the warrant of fitness process once it has been undertaken for a period by Wellington and Dunedin City Councils.