

A1885354



29 September 2020

Aaron Packard
Renters United

By Email: fyi-request-13708-5c90ffcd@requests.fyi.org.nz

Dear Mr Packard

Request for Official Information

I refer to your request for information contained in your email of 8 September 2020, specifically the questions below.

1. In the past five years, how many times has the Council used their rights under the Public Health Act to inspect rental housing properties?
2. In the past five years, how many times has the Council exercised its powers to issue a repair or closure notice to landlords whose properties do not meet the Housing Improvement Regulations?
3. How do you identify which rental housing properties to inspect under the Public Health Act?
4. What is the process for tenants to request the Council inspect their rental housing property under the Public Health Act and provide a written report on its condition?
5. What information is available on your website or in your publications on rental housing inspections provided by the Council?
6. What is your process for engaging with the Tenancy Tribunal to provide reports on the rental housing inspections you conduct?

Your request for information relating to the questions above under *Local Government Official Information and Meetings Act 1987 (LGOIMA)* has been considered and granted. Please find the answers below:

1. In the past five years, how many times has the Council used their rights under the Public Health Act to inspect rental housing properties?

- The Council has been involved in approximately 30 inspections of rental properties during the last 5 years but around half of these were related to on site waste water disposal issues so the inside of the house was not inspected.

2. In the past five years, how many times has the Council exercised its powers to issue a repair or closure notice to landlords whose properties do not meet the Housing Improvement Regulations?

- Council has issued one repair notice on one occasion in the last 5 years however this was issued under the Health Act 1956 and did not reference the Housing Improvement Regulations 1947.

3. How do you identify which rental housing properties to inspect under the Public Health Act?

Inspection of rental properties or other housing is generally based on requests or complaints (requests or complaints usually come from renters, other concerned people, or other agencies such as Tenancy Services; home help agencies etc).

The decision to inspect a property under the Health Act 1956 is generally made after consideration of the complaint, including the immediate health risk to individuals or the public. Also deciding whether it would be better actioned using established tenancy complaint services and processes, or whether the Health Act 1956 is the most appropriate investigation and enforcement tool.

4. What is the process for tenants to request the Council inspect their rental housing property under the Public Health Act and provide a written report on its condition?

The Council does not routinely inspect rental housing property for compliance with housing standards such as the Housing Improvement Regulations 1947, Healthy Homes Regulations, and Residential Tenancy Act, as these regulations are administered by the Ministry of Business, Innovation and Employment.

Where the rental property is in such a state or condition as to be considered dangerous, insanitary or for some reason an immediate health risk to tenants or others, Councils Environmental Health Officers will inspect the property (in some cases with Building Inspectors) and provide a report on what was found.

5. What information is available on your website or in your publications on rental housing inspections provided by the Council?

There is no information provided on rental housing inspection services as this service is not routinely provided by the Council.

6. What is your process for engaging with the Tenancy Tribunal to provide reports on the rental housing inspections you conduct?

Council Environmental Health officers and Building Inspectors have good working relationships with Tenancy Services Compliance and Investigation team and work alongside them on some investigations.

Where requested by the Tenancy Tribunal, we will undertake to investigate and provide a report on specific matters related to Council Officers areas of expertise such as dangerous or insanitary buildings and risks to public health.

Yours sincerely



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