

# P-250 Policy for managing methamphetamine (meth) in Kāinga Ora-managed properties

Issue Date		Approved by	Customer Leadership Group
Owner	Deputy Chief Executive, People and Homes	Author	Operational Policy team

## 1. Introduction

Methamphetamine (meth) is one of a family of drugs that act as stimulants to the central nervous system and speed up messages to and from the brain. In New Zealand it is often called 'P', short for 'pure', and is commonly available in crystal or powdered forms. Due to its potential to harm individual users, meth is a Class A (very high risk) controlled substance under the Misuse of Drugs Act 1975.

Meth use can result in harm and addiction issues for the person using the drug, and their family /whānau. Kāinga Ora – Homes and Communities (Kāinga Ora) views meth use, first and foremost, as a health and addiction issue for the person using and their family/whānau. When meth contamination due to meth use above the relevant threshold is confirmed in a tenanted property managed by Kāinga Ora, our focus will be to sustain that household in state housing. If decontamination cannot safely occur to enable the household to remain at that property, Kāinga Ora will look to transfer the household to another Kāinga Ora-managed property. There will be very limited circumstances where we will consider ending a tenancy for meth use even if the tenant is confirmed to have caused the contamination.

Meth use or manufacture can result in contamination of a home, including outbuildings and grounds, as well as personal effects and furnishings. Kāinga Ora tenants, workers and other people exposed to this contamination can potentially experience sensitivity to specific chemicals that may be present in the manufacture of meth.

## 2. Purpose

This Policy provides guidance to Kāinga Ora workers about managing meth in Kāinga Ora managed properties, including health and safety matters around potential or confirmed meth situations in Kāinga Ora-managed properties.

## Background

This Policy is one of a series of shifts in approach to proactively help our tenants and their families sustain their tenancies and live in warm, safe, dry homes.

## Objectives

Our objective is to safely identify and manage all situations where meth contamination is suspected with credible evidence or found in Kāinga Ora-managed properties.

We will follow procedures designed to safeguard our workers, tenants and their households, and other persons who may occupy, maintain, visit or otherwise come into contact with properties we manage where there:

- is a risk from exposure to meth contamination
- are safety and security issues connected to work in and around those properties

## 3. Scope

This policy applies to all properties Kāinga Ora manages.

Our workers have obligations to manage and control meth contamination in a way that is consistent with this policy and to comply with all applicable New Zealand health and safety legislation, regulations, standards, guidelines and codes of practice.

Our tenants have obligations to comply with Kāinga Ora's reasonable instructions and expectations regarding any illegal or hazardous substances, and contaminants, including meth, in Kāinga Ora-managed properties.

## 4. Policy

This policy focusses on Kāinga Ora's management of meth contamination in its homes.

We will manage and maintain our existing homes so tenants have access to warm, dry and safe homes, while we ensure the useability and overall quality of our homes are maintained.

We will take all reasonably practical steps to eliminate/minimise the risks associated with meth contamination. We will do this by:

- maintaining a focus on the wellbeing and safety of our workers, tenants and other people, particularly any children in the household, potentially coming into contact with meth contamination
- making sure we take all reasonable steps to inform our tenants, workers and other persons about the actions we are taking
- applying a risk based approach to manage any activities undertaken by workers and other people potentially coming into contact with tenants, households and their associates involved in the manufacture, sale and use of meth.

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- applying the 'above 15 µg/100 cm<sup>2</sup>' threshold, as set out by the Prime Minister's then-Chief Science Advisor in his 29 May 2018 report, as the trigger for meth decontamination of Kāinga Ora-managed properties. Exceptions to this threshold are where:
  - Kāinga Ora has contractual lease obligations that specify a lower tested meth threshold triggers decontamination.
  - there is credible evidence of meth manufacture and test results are above 1.5 µg/100 cm<sup>2</sup>,<sup>1</sup> Kāinga Ora will decontaminate a property down to or below 1.5 µg/100 cm<sup>2</sup> in line with NZS 8510:2017.
- carrying out all meth testing, decontamination and re-testing in line with the guidance contained in NZS 8510:2017 *Testing and decontamination of methamphetamine-contaminated properties* issued by Standards New Zealand on 29 June 2017, and any other relevant standards or regulations.
- complying with relevant legislation, regulations, standards, guidelines, procedures and codes of practice
- having operating procedures to confirm, clean, reinstate or demolish contaminated properties in a safe manner
- using legal channels, where appropriate, to manage unlawful activity/anti-social behaviour (regardless of test results) where Kāinga Ora has credible evidence a tenant or associate is making, selling or using meth at a Kāinga Ora property
- maintaining accurate records of all tests for meth contamination and the actions we have taken to investigate and resolve them.

## 5. Principles

### Protection of our workers, and the community

We will take all reasonable steps to make sure our workers have a safe working environment and are not exposed to known situations of meth contamination.

We also commit, so far as is reasonably practicable, to making sure our workers, tenants, members of the community and the environment are not put at risk from work carried out at meth contaminated Kāinga Ora-managed properties or any adjoining properties affected by meth contamination.

We will consult with workers, their representatives and the community as required in relation to the management of meth contamination in Kāinga Ora-managed properties.

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<sup>1</sup> The Chief Science Advisor's report notes that even low tested levels of meth cannot effectively rule out meth manufacture. As a result, where there is credible evidence of meth manufacture, Kāinga Ora will decontaminate down to the threshold applicable to either high use or limited use areas at a property.

## Risk management

We will adopt a risk based approach for the management and control of meth contamination in properties managed by Kāinga Ora. Risk assessment (people and property-related) will be undertaken prior to testing a property. Risks will be reviewed as any further treatment progresses.

A test for meth contamination will be undertaken on any:

- tenanted or void property where Kāinga Ora has reasonable grounds, supported by credible evidence, for suspecting the property may have high levels of meth contamination.
- tenanted or void property where Kāinga Ora makes a business decision to carry out a non-suspicion test for meth contamination (i.e. where there is no apparent cause for suspicion).

## Treatment of properties

Where Kāinga Ora has made a decision to decontaminate a property and the property is tenanted, for health and safety reasons, the property will generally need to be vacated so that decontamination work can occur.

Following decontamination, the property will be tested again to assess whether the work has successfully reduced meth contamination in previously affected areas to levels that are at or below the meth levels in NZS 8510:2017. Where this has occurred, a Clearance Report and Certificate will be provided by the contractor.

Where contamination is extensive and decontamination will not successfully reduce it to levels that are at or below the levels in NZS 8510:2017, demolition (in full or part) may be required.

All contaminated material will be removed as hazardous waste and disposed of in accordance with local authority regulations.

## Recording and monitoring all meth contamination cases

For the safety of our workers, tenants and contractors, we will:

- electronically highlight meth contamination action in Kāinga Ora's property records to signal a potential/confirmed hazard exists; and
- complete assessments/reviews of customer risk ratings for current tenants and associates in or linked to Kāinga Ora properties with a meth contamination status of either testing, confirmed or cleansed.

Both categories of information will be visible to our employees on core computer system screens and will be recorded in the Hazards section of Work Orders sent to our maintenance contractors.

We will electronically record all cases where Kāinga Ora carries out testing, decontamination and reinstatement work on properties suspected of or confirmed with meth contamination.

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This will enable us to monitor the number and status of all cases and provide statistical information to demonstrate due diligence towards risk elimination/minimisation.

## Dealing with confirmed cases of meth contamination

In all cases of confirmed meth contamination, Kāinga Ora will record all relevant information, including actions taken, in its core computer systems for future reference and use.

At any time, when/if requested by a tenant or household member, Kāinga Ora staff will provide information about how and where they can obtain support from and access to drug addiction services

For properties that are vacant, Kāinga Ora will progress that property through the testing, decontamination, reinstatement and re-letting processes. For tenanted properties, Kāinga Ora will consider the following actions.

### Meth use

Where we have credible evidence that a tenant, household member or associate's meth use has caused meth contamination **below the threshold** used by Kāinga Ora, our actions may include offering the household:

- support and referral to appropriate services to help them address the health and addiction issues associated with harmful meth use
- referral to Kāinga Ora's Te Waka Urungi (Intensive Tenancy Management) team, who can work closely with those households who are struggling to sustain their tenancy and help the household to access the support they need to live well in our homes and/or community.

Where we have credible evidence that a tenant, household member or associate's heavy meth use has caused meth contamination **above the threshold** used by Kāinga Ora, our actions may include:

- providing support and referrals as described above, and
- offering the household a Business Initiated Transfer, and
- in exceptional circumstances, terminating the tenancy appropriately under the Residential Tenancies Act 1986.

In some circumstances it may be appropriate to seek recovery of costs associated with testing, cleaning, reinstating, demolishing, or the loss of value of, a property from the tenants and/or other persons through the Tenancy Tribunal or District Court. Any such cases must be discussed first with the appropriate manager before proceeding.

### Meth manufacture

Kāinga Ora does not permit the manufacture or supply of meth in the homes we manage. Where we have credible evidence that a tenant, household member or associate is manufacturing or selling meth at a Kāinga Ora-managed property, we will use the appropriate legal channels, including police referral, to manage this unlawful activity/anti-social behaviour.

If a meth test shows the tenant, household member or associate has caused meth contamination due to meth manufacture, Kāinga Ora’s actions may include the referrals mentioned above, as well as:

- offering non-responsible household members a Business Initiated Transfer
- in exceptional circumstances, terminating the tenancy appropriately under the Residential Tenancies Act 1986.

In some circumstances it may be appropriate to seek recovery of costs associated with testing, cleaning, reinstating, demolishing, or the loss of value of, a property from the tenants and/or other persons through the Tenancy Tribunal or District Court. Any such cases must be discussed first with the appropriate manager before proceeding.

### Housing people with drug history

We will work to support and sustain any tenancy being offered to and accepted by a person known by Kāinga Ora to have a drug history, including:

- a social housing applicant, where credible evidence is supplied by a reliable third party (for example, Police or MSD) or the applicant themselves confirms drug use to staff
- a Kāinga Ora tenant who receives a Business Initiated Transfer when meth contamination above the relevant threshold used by Kāinga Ora was confirmed at their current Kāinga Ora property.

## 6. Definitions of terms

The following definitions apply when interpreting this policy:

Term	Definition
<b>Above threshold</b>	<p>A property has test results showing areas with meth contamination above the relevant meth threshold used by Kāinga Ora:</p> <ul style="list-style-type: none"> <li>• Meth use test results above 15 µg/100 cm<sup>2</sup>.</li> <li>• Meth manufacture test results above 1.5 µg/100 cm<sup>2</sup></li> </ul> <p>Test results received above either of these thresholds will trigger the need for decontamination. The property may need to be vacated for decontamination work to be completed.</p>
<b>Below threshold</b>	<p>A property has either:</p> <ul style="list-style-type: none"> <li>• meth use test results showing areas with meth contamination at or below the meth threshold of ‘above 15 µg/100 cm<sup>2</sup>;</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>• meth manufacture test results showing areas with meth contamination at or below the meth threshold of 'above 1.5 µg/100 cm<sup>2</sup>;</li> <li>• re-test results following decontamination are below the meth levels in NZS 8510:2017. The property is fit for occupation.</li> </ul>
<b>Chief Science Advisor's report</b>	Report on <i>Methamphetamine contamination in residential properties: Exposures, risk levels and interpretation of standards</i> , released 29 May 2018 by the Prime Minister's then-Chief Science Advisor, Professor Sir Peter Gluckman.
<b>Cleaning</b>	All work required to reduce areas previously contaminated by meth (above levels specified in applicable standards, guidelines and regulations) to levels that are at or below the meth levels set by NZS 8510:2017.
<b>Clearance Report and Certificate</b>	A report and certification completed by a decontamination contractor, and including confirmation by an accredited sampler that a property has been decontaminated to the levels specified in NZS 8510:2017.
<b>Credible evidence</b>	This means evidence which is capable of belief. It is often natural, reasonable and probable as to make it easy to believe. For example, in relation to drug manufacture, it means that the available facts, when viewed in light of surrounding circumstances, would cause a reasonable person to believe that drug manufacture has occurred.
<b>Decontamination</b>	The process of reducing the level of meth in a property by cleaning the property or removing meth contaminated material from the property or both.
<b>Demolition</b>	Destruction of a contaminated property (in whole or part) and the safe removal of all contaminated material from the site as hazardous waste and disposed of in accordance with local authority regulations.
<b>Health and Safety at Work Act 2015</b>	Legislation governing health and safety in New Zealand.
<b>Letting</b>	Renting out a cleansed property to another tenant.
<b>Methamphetamine (meth)</b>	An abbreviation of 'methamphetamine' (an amphetamine type stimulant that is highly addictive). Methamphetamine is a

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Term	Definition
	controlled substance, classified as a Class A (very high risk) drug under the Misuse of Drugs Act 1975.
<b>Meth contamination</b>	A property that has been tested in accordance with the applicable standards, guidelines and regulations and meth contamination has been found.
<b>NZS 8510:2017</b>	A document issued 29 June 2017 by Standards New Zealand to set standards and post-decontamination levels for the 'Testing and decontamination of methamphetamine-contaminated properties'
<b>Reinstatement</b>	All work required after decontamination to return the property to Kāinga Ora's letting pool.
<b>Residential Tenancies Act 1986</b>	Legislation (including amendments) that governs all residential tenancies in New Zealand.
<b>Test</b>	The process of sampling, testing and assessing a property (tenanted or void) for the presence/extent/magnitude of meth contamination
<b>Worker</b>	In this policy the term 'worker' includes: <ul style="list-style-type: none"> <li>• Kāinga Ora employees</li> <li>• contractors and subcontractors</li> <li>• employees of contractors and subcontractors</li> <li>• consultants</li> <li>• worker volunteers</li> <li>• trainees</li> <li>• any persons carrying out work on behalf of HNZ.</li> </ul>

## 7. Related policies, procedures, legislation and documents

Related Kāinga Ora procedures:

- CA-716 Managing Methamphetamine (Meth) in Kāinga Ora-managed Properties
- CA-717 Guidelines for Managing Methamphetamine (Meth) in Home Lease Properties
- CA-718 Guidelines for Managing Methamphetamine (Meth) in Emergency Housing Properties
- CA-719 Guidelines for Managing Methamphetamine (Meth) in Community Group Housing Properties
- T-250 Guidelines for Managing Tenant Belongings Affected by Methamphetamine (Meth) Contamination

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Relevant legislation, regulations and standards:

- Health and Safety at Work Act 2015
- Kāinga Ora–Homes and Communities Act 2019
- Misuse of Drugs Act 1975
- Psychoactive Substances Act 2013
- Residential Tenancies Act (RTA) 1986.

## 8. Training

This policy will be available to view on Kāinga Ora’s intranet, Atamai, and promoted across the organisation. Any amendments or substantive changes to the policy or procedures will be supported by a communications plan.

## 9. Document control

Date	Reviewed/Modified by	Comments/Descriptions of changes
30/09/19	Rebecca Livingston	Policy updated into Kāinga Ora policy template. References to Housing New Zealand changed to Kāinga Ora – Homes and Communities (Kāinga Ora).

Details of previous versions of policies and procedures will be stored in Kāinga Ora’s document management system (Objective).

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