

Starting a Tenancy Policy (New Zealand)

1. Purpose

This policy explains how HOME in PLACE (New Zealand) Limited (HOME in PLACE NZ) establishes a tenancy.

2. Scope

This Policy applies to HOME in PLACE (New Zealand) Limited (HOME in PLACE NZ) and its directors, Governance Committee and Advisory members and Employees (or Workers) engaged to carry out business activities on behalf of HOME in PLACE NZ.

3. Policy statement

HOME in PLACE NZ is a social housing landlord with a commitment to service delivery. HOME in PLACE NZ complies with the requirements of the Residential Tenancies Act 1986. When an applicant accepts an offer of housing HOME in PLACE NZ will act on the acceptance promptly by arranging the documentation to be completed to establish the tenancy. HOME in PLACE NZ will not include any unnecessary conditions in its agreements and will provide the applicant with information on their rights and responsibilities when starting a tenancy and signing a tenancy agreement.

Applicants have the right to have support persons, advocates, and interpreters with them at the time of signing the tenancy agreement and to seek advice prior to signing.

Guiding principles

HOME in PLACE NZ will start tenancies in a way that:

- Creates a positive and sustainable relationship with the tenant;
- Provides tenants with information about their tenancy legal rights and responsibilities;
- Provide tenants with information on HOME in PLACE NZ policies;
- Ensure that HOME in PLACE NZ meets its legal and policy requirements when a new tenancy begins.

Signing a tenancy agreement

Each tenancy will be subject to a written standard for of tenancy agreement that is consistent with and provided in accordance with the Residential Tenancies Act 1986.

Tenants will be provided with:

- Signed copy of the tenancy agreement;
- Completed property condition report;
- Tenancy services handbook

A signing of a tenancy agreement will not proceed if:

- There is doubt that the person attending the signing is the applicant who has been offered the property;
- The applicant appears to be intoxicated or under the influence of drugs;
- The applicant is behaving aggressively and causing risk to others;
- It becomes apparent the applicant does not understand what is happening, whether due to language difficulties or incapacity;
- It becomes apparent the applicant does not have the necessary living skills to maintain a tenancy and there is no support plan to address the issues;
- The applicant states they no longer want to accept the offer of housing and/or the type of housing;
- It becomes apparent the property will not adequately meet the applicant's known housing needs;
- The applicant does not have all the required documentation for the signing.

Duration of tenancy

The duration of the tenancy is subject to the Ministry of Social Development (MSD) eligibility. Tenants are required to inform MSD of any changes in their circumstances, this can be at any time from when they have been assessed as having a housing need and are on the social housing register through to when they are a tenant. Depending on when the change occurs will determine how MSD will review their eligibility for social housing or their rate of income related rent.

Additional terms

Any additional terms included in a tenancy agreement will not contravene the rights of the tenant afforded by the Residential Tenancies Act 1986. The following may be included in the agreement:

- Additional occupants – the tenant must notify HOME in PLACE NZ of any changes in household complement, for example, persons moving into or out of the property on a permanent basis;
- Income variation – the tenant shall notify MSD within 14 days of the income varying to have their rent re-calculated;
- Personal occupancy – it is a requirement that the tenant must personally occupy the premises;

Review of decisions

Some decisions made by HOME in PLACE NZ may be reviewable decisions. If an applicant or tenant does not agree with a decision HOME in PLACE NZ has made, they should first discuss this with a Tenancy Relations Officer. If the applicant or tenant is still dissatisfied, they will be provided with information on what next steps they can take. Applicants and tenants will be provided with contact details of services that can provide free independent advice on tenancy matters.

4. Definitions and Acronyms Glossary

For clarification of any definitions or acronyms contained within this document, please click on the [Glossary](#) for information.

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