

General principle

- If a property is found to be *contaminated* with methamphetamine, then Housing New Zealand will take immediate action to find a safe home for the tenant to live.
- If the tenant is found to have *used or manufactured* methamphetamine in the property, then this is illegal behaviour and a clear breach of their tenancy agreement. Their tenancy will be ended as a result.

Has HNZ misused previous MoH guidelines?

No. There has been no advice to Housing New Zealand - nor to the industry that has grown-up in this country around the testing and remediation of properties - that the guidelines were being misused.

The guidelines have been the only source of guidance for all property owners to determine the health and safety of homes that may be meth contaminated. It would have been highly inappropriate for Housing New Zealand to take an independent approach and avoid the guidance that was set by the Ministry of Health.

Housing New Zealand has long been of the view that the guidelines were incomplete and needed to be changed to better reflect the difference between manufacture of meth and smoking of meth.

Housing New Zealand has engaged with scientists and toxicologists over the past year to peer review and provide recommendations that have supported their view that the guidelines needed to be changed.

It's pleasing that the Ministry of Health has now updated the recommended guidelines and they are being incorporated by Standards New Zealand into a new National Standard for the testing and remediation of homes contaminated with methamphetamine due to use or manufacture.

How many tenants has HNZ evicted for P use but not cooking, against MoH guidelines?

Housing New Zealand does not evict tenants because a property is contaminated. This is a health and safety issue and they will be relocated to another home. However, if there is evidence that the tenant used the drug in one of our properties, then this is a clear breach of their tenancy agreement and their tenancy will be ended as a result.

HNZ cannot report a breakdown of evictions for P use and for P cooking. However, there are very few evictions that are carried out because of P use or production:

Housing New Zealand evictions nationally

Financial year	Number of evictions for meth use	Total number of evictions
2014/2015	2	40
2015/2016	5	39

How much money has been spent on cleaning/remediation not required by the previous Ministry guidelines.

We can tell you that we are likely to save several million dollars per year in decontamination costs. We are unable to report the amount that was spent on properties that would not have been required under the new guideline.

How much money has been recovered from tenants for remediation not required by previous Ministry guidelines?

Housing New Zealand will only pursue costs from tenants when they are found to have used the drug in the tenancy.

This information is held on individual tenancy files and we cannot report on this centrally.

Will HNZ be refunding money recovered from tenants for remediation not required by Ministry guidelines.

No. Housing New Zealand acted appropriately based on the guidance that was available at the time.

However we can tell you that so far in 2016/17, the Tenancy Tribunal has awarded compensation to HNZ in 14 meth use cases. The total amount of compensation awarded is \$202,297.97

The typical level of contamination taken to Tribunal is well in excess of the new threshold.

What generally is the basis for P related evictions if it cannot be ruled out that a previous tenant is responsible?

Housing New Zealand will never terminate a tenancy if it does not have reason to believe that the current tenant contaminated their property. Last year 1500 homes were tested for meth contamination. Of those just over 800 were found to be contaminated. The majority of those tenants were moved into a clean home with the remainder making their own decision to leave and move into a private rental.

What steps is HNZ taking to rectify the situation regarding previous evictions?

There have only been five evictions in the past year for meth use. The ending of any tenancy related to methamphetamine is because consuming or manufacturing it is an illegal activity and a clear and direct breach of their tenancy agreement.

When will HNZ adopt the new MoH guidelines

Immediately.

How many houses will be made available due to this change?

Housing New Zealand currently has 50 properties that no longer need decontamination under MoH's new guidelines. These will be brought into service as quickly as possible.

Applying the new guidelines means that fewer properties will be taken out of service. For example, of the 437 properties that tested positive for methamphetamine contamination since 1 June 2016, 25 percent of the properties would not have required remediation under the new guidelines. A further 7 percent would only need to have carpet removed or additional cleaning undertaken before they could be let.

Housing New Zealand is looking at precisely how much could be saved, but our analysis suggested it could be several million dollars per year.

How many tenants have been blacklisted by HNZ?

Housing New Zealand doesn't black list tenants. It does however have the right to suspend tenants from living in a Housing New Zealand home for up to 12 months for serious breaches of their tenancy agreement. This includes tenants who may have breached their agreement and used methamphetamine in the property.

Will HNZ continue to evict tenants for P contamination even without a breach of MoH guidelines?

First and foremost Housing New Zealand is focused on helping tenants sustain their tenancies. An eviction is always a last resort and often is a result of serious, sustained breaches of a tenants housing agreement with Housing New Zealand.

In the past year Housing New Zealand evicted 39 tenants and only 5 of those were for reasons associated with meth use.

Housing New Zealand looks after some of our most vulnerable people and acknowledges that they come to state housing with many life issues, including drug addiction. With over 64,000 homes and over 185,000 people in those homes, it's clear to see that Housing New Zealand works hard to help tenant's sustain their tenancy.

How many tenants has HNZ evicted for P contamination over what time period?

Housing New Zealand evictions nationally

Financial year	Number of evictions for meth use	Total number of evictions
2014/2015	2	40
2015/2016	5	39

Has HNZ been taken to court over evictions? What was the result?

Evictions are a last resort, and only take place when a tenant refuses to vacate a tenancy after the Tenancy Tribunal has granted possession to Housing New Zealand. Evictions are carried out by court bailiffs in accordance with the law. As such, there is little scope for a former tenant to take Housing New Zealand to court regarding an eviction.

Released under the Official Information Act 1982