

Child Poverty Action Group
PO Box 5611
Wellesley St
Auckland 1141
www.cpag.org.nz

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CHILD
POVERTY
ACTION
GROUP

To: Government Administration Committee

Secretariat: select.committees@parliament.govt.nz

Submission: [Healthy Homes Guarantee Bill \(No. 2\)](#)

Child Poverty Action Group (CPAG) thanks the Government Administration Committee for the opportunity to submit.

Child Poverty Action Group (CPAG) is an independent charity working to eliminate child poverty in New Zealand through research, education and advocacy. CPAG believes that New Zealand's high rate of child poverty is not the result of economic necessity, but is due to policy neglect and an ideological emphasis on flawed economic incentives. Through research, CPAG highlights the position of tens of thousands of New Zealand children, and promotes public policies that address the underlying causes of the poverty they live in.

Contact: Frank Hogan, email : fhogan@xtra.co.nz

We would like the opportunity to speak to this submission.

Overview

In 1993, New Zealand recognised the right of every child to adequate housing by signing the United Nations Convention on the Rights of the Child.¹ *Article 27* of that convention states:

The government recognizes the right of every child to an adequate standard of living for the child's physical, mental, spiritual, moral and social development....

And the Government shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

The 2013 Census indicated that an increasing proportion of citizens are reliant on rental accommodation to meet their housing needs.² "The proportion of all people in households living in an owner-occupied dwelling fell from 75.2% to 63.7% between 1986 and 2013, a decline of 15.3%."³ These figures suggest that more than a third of the population, over 1,600,000 people, including children, are deeply affected by the cost and quality of rental accommodation.

¹ See <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

² See http://www.stats.govt.nz/browse_for_stats/people_and_communities/housing/changing-maori-pacific-housing-tenure.aspx.

³ Statistics New Zealand (2016). Changes in home-ownership patterns 1986-2013: Focus on Māori and Pacific people. Wellington, Statistics New Zealand, p. 6.

This Member's Bill strengthens and speeds the introduction of minimum standards for residential tenancies proposed in the recent Residential Tenancies Amendment Bill, clarifying the requirements for 'healthy homes' for residential tenancies. Legislation requiring provision of safe, warm and dry rental accommodation is desperately needed to protect tenants and their children from the risks associated with dwelling in substandard housing.

There is compelling evidence of the advantages to children's health and wellbeing of living in warm, dry homes.⁴

Every past winter in New Zealand between 25,000 and 30,000 children have been hospitalised with respiratory infections and illnesses caused by living in cold, damp houses.⁵ As the numbers of tenancies increase, so will these numbers.

For children, sub-standard, high cost housing causes excess mobility: a CPAG survey of South Auckland schools reported accommodation as the most common reason behind high rates of transience.⁶

Sub-standard, high cost housing contributes to overcrowding which affects more than 136,000 children in New Zealand,⁷ causes at least twice the risk of being admitted to hospital for pneumonia,⁸ and has been identified as the most important risk factor for rheumatic fever⁹ and meningococcal disease,¹⁰ illnesses that can compromise children's health with lifetime consequences.

With damp and mould in the home, children have at least twice the risk of being admitted to hospital for pneumonia,¹¹ more frequent asthma-related symptoms¹² and rheumatic fever,¹³ while cold homes are linked to cardiovascular disease, respiratory illness and increased asthma attacks among children.¹⁴

⁴ Howden-Chapman P. 'Effects of improved home heating on asthma in community dwelling children: randomised controlled trial.' *BMJ*. 2008; 337: a1411. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2658826/>. Chapman R, Howden Chapman P, Viggers H, O'Dea D, Kennedy M. 'Retrofitting houses with insulation: a cost-benefit analysis of a randomised community trial.' *Journal of the Epidemiology of Community Health* 2009;63:271-277 doi:10.1136/jech.2007.070037. Jackson G, Thornley S, Woolston J, Papa D, Bernacchi A, Moore T. 'Reduced acute hospitalisation with the healthy housing programme.' *Journal of Epidemiology and Community Health* 2011; 65:588-DOI: 10.1136/jech.2009.107441. <http://jech.bmj.com/content/65/7/588.full>. Howden-Chapman P, Crane J, Chapman R, Fougere G. 'Improving health and energy efficiency through community-based housing interventions.' *Int J Pub Health*. 2011 Dec;56(6):583-8. doi: 1007/s00038-011-0287-z. <http://www.ncbi.nlm.nih.gov/pubmed/21858460>.

⁵ Health and cold damp houses' *Environmental Health Indicators NZ*, at: <http://www.ehinz.ac.nz/indicators/indoor-environment/health-conditions-related-to-cold-and-damp-houses/>.

⁶ Wynd D. The revolving door – student transience in Auckland schools 2014 <http://www.cpag.org.nz/news/new-report-student-transience-in-auckland/>.

⁷ Johnson A. *Housing Market changes and their impact on children*. Part 4 in Our children, our choice: Priorities for policy series. ISBN: 978-0-9941105-3-4. Child Poverty Action Group August 2014, at: <http://www.cpag.org.nz/resources-publications/our-children-our-choice-priorities-for-policy-7/part-4-housing-2/>.

⁸ Grant CC, Emery D, Milne T, Coster G, Forrest CB, Wall CR, Scragg R, Aickin R, Crengle S, Leversha A, Tukuitonga C, Robinson EM. *Journal of Paediatrics and Child Health* (2011) *Journal of Paediatrics and Child Health* 2011;1-11. doi:10.1111/j.1440-1754.2011.02244.x

⁹ Jaine R., Baker, M., Venugopal, K., Acute Rheumatic Fever Associated with Household Crowding in a Developed Country, *Pediatric Infectious Diseases Journal*, 2011; 30: 315-319.

¹⁰ Baker M, Martin, D., Kieft, C., Lennon, D., [A 10-year serogroup B meningococcal disease epidemic in New Zealand: Descriptive epidemiology, 1991–2000](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2658826/), *Journal of Paediatrics and Child Health*, 2001: 13-19.

¹¹ Grant CC, Emery D, Milne T, Coster G, Forrest CB, Wall CR, Scragg R, Aickin R, Crengle S, Leversha A, Tukuitonga C, Robinson EM. *Journal of Paediatrics and Child Health* 2011;1-11. doi:10.1111/j.1440-1754.2011.02244.x

¹² Weinmayr G, Gehring U, Genuneit J, Büchele G, Kleiner A, Siebers R, Wickens K, Crane J, Brunekreef B, Strachan DP and the ISAAC Phase Two Study Group. *Dampness and moulds in relation to respiratory and allergic symptoms in children: results from Phase Two of the International Study of Asthma and Allergies in Childhood (ISAAC Phase Two)*. *Clin Exp Allergy*. 2013;43(7):762-74.

¹³ See <http://www.ehinz.ac.nz/indicators/indoor-environment/health-conditions-related-to-cold-and-damp-houses/>.

¹⁴ Piers, N., Arnold, R., Keall, M., Howden-Chapman, P., Crane, J., Cunningham, M., 2013: Modelling the effects of low indoor temperatures on the lung function of children with asthma, *Journal of the Epidemiology of Community Health*. 2013 Nov 1;67(11):918-25. doi: 10.1136/jech-2013-202632.

See <http://www.ehinz.ac.nz/indicators/indoor-environment/health-conditions-related-to-cold-and-damp-houses/>.

New Zealand recognised the right of every child to adequate housing twentythree years ago. This Bill recognises the urgent need for action to honour that right.

Submission 1: CPAG commends the Member for proposing this legislation setting minimum standards of heating and insulation for residential premises, and requiring those standards to apply to all tenancy agreements made within a year of the Act coming into force.

Discussion: After 5 years, it is estimated that the natural process of tenant turnover would see most tenancy agreements containing the requirement. However, section 13A of the Bill requires that, 5 years after the standards are published on the website of the department, every tenancy agreement is to include a statement that the premises meet, at a minimum, those standards.

CPAG welcomes the specificity of these new requirements to promote healthy homes, and the speed with which the standards are to be adopted by all providers of rental residential accommodation.

Submission 2: That the Ministry of Business, Innovation and Employment be adequately resourced to ensure landlord compliance with the minimum standards.

Discussion: The standards must describe what constitutes adequate methods of heating and insulation; indoor temperatures; ventilation; draught stopping; and drainage. The standards must also specify the conditions under which a property may be exempted if it is not possible to modify it to meet the standards, and the maximum financial penalty on landlords for failing to comply. To ensure the wide compliance with the new legislation, the Ministry will require adequate resources.

Submission 3: CPAG endorses the Bill's amendment to current legislation - increasing the financial penalty on a landlord's failure to meet obligations in respect of cleanliness, maintenance, building, health and safety requirements, or standards of heating and insulation.

Discussion: The rental regime in New Zealand provides few protections for tenants, and as larger and larger proportions of citizens become life-long tenants, it is vital that their rights and protections be clarified

Submission 4: That fair rental regulations be introduced.

Discussion: The 2013 census revealed that almost half of all New Zealanders live in rental accommodation,¹⁵ In Germany and Switzerland,¹⁶ and in Canada,¹⁷ where a high proportion of families are renters, rental regulations ensure and enforce fair conditions and costs for tenants. Regulating rents and security of tenure are important controls to support housing quality legislation.

A system of rent regulation generally involves:

- limits on the rent that landlord may charge, known as 'rent control'
- standards by which a landlord may terminate a tenancy
- obligations on the landlord or tenant regarding adequate maintenance of the property
- a system of oversight and enforcement by an independent regulator.

¹⁵ Statistics New Zealand (2015) Dwelling and household estimates, at: <http://datainfoplus.stats.govt.nz/Item/nz.govt.stats/25baddf1-766b-423a-8a5a-c8f9de8a1d57>.

¹⁶ Eqaub, S. & Eqaub, S. (2015) Generation Rent, BWB Books, at: <http://bwb.co.nz/books/generation-rent>.

¹⁷ In Canada there are rent regulation laws in each province. In Ontario the [Residential Tenancies Act 2006](#) requires that prices for rented properties do not rise more than 2.5% each year, or a lower figure fixed by a government minister.