

## **Oral Submission to the Social Services Select Committee on the Residential Tenancies Amendment Bill**

### **Introduction (Jono)**

Thanks very much for the opportunity to speak on behalf of Victoria University's 22 000 students. We are the Victoria University of Wellington Students' Association, an organisation which represents and supports Vic students during their time at University. A big part of our job is to tell the story of student hardship, which has grown significantly since students have had to borrow to live and borrow to study. In 2016, not only do students face \$15 billion of debt, potential fee rises, and (from recent trends) minimal increases in student support, but also the problem of poor quality flats that are cold, damp and unsafe - a far cry from houses that are warmer, drier and safer, which is at the heart of this Bill.

Students today are all too familiar with the problem of mould. Not only with mould on our week-old leftovers, but mould in our kitchens, mould in our bathrooms, mould on our ceilings and on our walls. While mouldy food is probably somewhat preventable, the mould in our flats seemingly is not. This Bill is a step in the right direction to make our flats warmer, drier and safer, but we believe that further improvements are needed to meaningfully improve our flats.

Today our oral submission focuses on three key recommendations cited in our written submission. You will have heard similar sentiments from our national student union, NZUSA, which we seek to reaffirm. Our recommendations are around:

Ventilation (point 6)

Heating (point 7)

Enforcement (point 10)

Rory will talk about ventilation and heating, and I will touch on the need for greater enforcement.

### **Ventilation and Heating (Rory)**

- Commend the aim of the Bill to make homes warmer drier and safer.
- There are a number of areas in which the minimum standards can be strengthened in a practical way that will allow it to genuinely achieve this aim.

Most importantly is the requirement of some ventilation. Any attempt to make a home drier, without including provisions for ventilation, is an empty attempt.

In student flats warmth is a huge issue, but dampness is arguably a bigger one, and unless it is addressed it will continue to cause our students to get sick.

We asked students in the lead up to the submission what the biggest problems were in their flats and we got a tsunami of responses about the conditions.

For example, Mabel, a third law student living in Te Aro had grown out of having asthma and eczema while at high school, and upon moving into a damp, unventilated flat in Dixon St quickly re developed these issues as well as colds and infections from being surrounded by dampness and a ceiling covered in mould spores. Walking up the hill to Uni became a real struggle as a result of the asthma, and medication had to be re prescribed.

A similar case, one of our students Tori Selwood in 2013 had a flat in which mould would grow persistently on clothes, furniture and bedding, despite taking all possible steps to mitigate including leaving windows open, having a dehumidifier running all the time. Mould

simply continued to grow, damaging property irreparably. Tori and her flatmates were of course legally responsible for the damage caused by the mould, even though it was caused by the poor housing standard, not negligence by the tenants.

We stress that something needs to be done about this. And including provisions for adequate ventilation is the way to do it. Things like security latches on windows so that they can be left open while tenants are out, an extractor fan in the bathroom and kitchen. These are not expensive things, but in many flats are very damp without them.

If we could add one thing to the bill that would make a massive difference to the lives of students, it would be ventilation requirements.

### **Enforcement (Jono)**

Last week a student emailed me some photos of what he came across when going on some flat viewings. [show picture]

The photo is not intended to be an extreme example of mould or lack of ventilation or heating. This photo is intended to depict the norm of students who are looking for flats, particularly during this period of high demand. The student who sent this photo to me said that perhaps the worst part of this is that the two groups of students, after viewing this flat, were making arrangements to secure it as soon as possible because (a) they didn't have any other options available at the time (there aren't a lot of flats to choose from and (b) that's a standard sort of thing to find in a flat.

No doubt that when these student-tenant leave this flat, more students will fill it, paying upwards of \$175 per week for mouldy, damp, cold flat. That brings us to the issue of enforcement.

- Reality is that even the current requirements for rental housing are not being met because the barriers to students going to tenancy tribunal are so high.
- Most students are not even aware of their rights as tenants. Even when they do figure out that the landlord is breaking regulations, which is often in winter when these things become a problem, the 6-8 weeks waiting time for a tribunal hearing plus the time it would take to do the repair makes it not worth the effort when they will be moving out in a couple of months times.
- There is also a very real fear of retaliatory action.
- **The numbers speak for themselves, only 10% of cases taken to the tribunal in 2015 were taken by tenants.**

We feel it is not the role of the tribunal to be policing these standards, by should be the role of the Ministry or local government to enforce.

While we support the proposal to allow the Chief Executive of the relevant Ministry to act as tenant at the Tenancy Tribunal, we believe that this power should extend to representative groups such as students associations.

- Much of our understanding of tenancy issues is drawn from our own Advocacy Service which provides support for students with tenancy issues among other things
- Through this service, we know which homes will potentially not be up to the minimum housing standard.
- By allowing students' associations and other approved tenant representative groups to act as tenants, the focus is no longer on the two parties (i.e. landlord and tenant) but on the house, and getting that house up to standard.

Thanks very much for your time.