



News And Views

Issue 7

Monday 21 July 2014

- TPA will be at Linwood Link Tuesday and Thursday 9am to 11am. Appointments preferred.

Housing Forum Information can be found at www.christchurchhousingforum.org.nz.

You can find us on Facebook <https://www.facebook.com/tpa.chch?ref=hl>

www.tpa.org.nz

Or contact us at 3/575 Colombo Street, Christchurch
www.tpa.org.nz

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Landlords – Stop telling tenants to move out for EQ repairs and start asking!

'Betty' has lived at her house for nearly 10 years. She loves her neighbours and she can afford the rent which is great because she lives alone. Then the phone call comes. *You have to move out for 6 weeks next month. The rent will be going up \$120 on completion of repairs. Don't pay the rent while you're out. No, you can't put a container on the front. If you want to leave don't forget you have to give 21 days' notice. 'Betty' is just one of an untold number of Tenants being told what is going to happen to them with little regard for tenancy law or outright re-*

*spect for her situation.**

"I've just been told I have to move out for Earthquake repairs" This is the opening line of many a call we take at TPA lately – and it makes our blood boil!

A tenancy agreement is the right to occupy a property. The Landlord can come around during the tenancy in certain circumstances but they can never REQUIRE a Tenant to move out in the middle of their tenancy contract. The tenant must be asked and has the right to refuse consent.

We are not suggesting that repairs should not take place. What we are saying is that nothing in tenancy law has changed since the earthquakes and Landlords must respect the rights of Tenants during this period of rebuild and repair. A rental property is someone's HOME and the people who live there not only have tenancy rights they have families and feelings and expenses and cannot just 'up-and-go' at any time.

So, what should happen?



To get vacant possession of a property the Landlord must

- end the tenancy contract all together (with correct notice) and carry out work at the property with no tenancy in place
or
- negotiate with the tenant for access BEFORE signing off a commencement date for repairs with contractors or Fletchers.

To move out and then move back in is a big deal. Just waiving the rent does not mean that the Tenant will not end up out of pocket. What about storage? Compensation for power used? Moving? Extra travel? HAVING NO WHERE TO GO?

AT TPA we don't mind talking tenants through this process. What we do mind is having to hear about Landlords who know the rules but are deliberately ignoring them for their own gain and taking advantage of Tenants who think they have no rights and have to do what they're told.

A big thank you to all the many Landlords looking after their tenants during this time.

*to protect 'Betty' from being recognised we have slightly altered some detail of her story.

Just a reminder the next Housing Forum will be on Wednesday 30th July 2014 from 12 till 2pm at Oxford Terrace Baptist Church. Information on speakers will go out in an email closer to the time. If you would like to go on the mailing list for Housing Forum information please email projectsupport@tpa.org.nz

TPA invites comments and views on topics raised in this newsletter.