

27 January 2016

Committee Secretariat
Social Services
Parliament Buildings
Wellington



To the Chair and Members of the Social Services Committee

Submission of the Children's Commissioner on the Residential Tenancies Amendment Bill

In Budget 2013, the Government committed to mitigate the negative health outcomes of poverty and poor housing.

I am disappointed in this bill. In my view, it will not improve the health of the thousands of children living in poor quality housing.

Budget 2013 responded in part to the report released by my Expert Advisory Group (EAG) on Solutions to Child Poverty in December 2012. That report included the following recommendations that would reduce the consequences of poor quality housing on the short and long term health outcomes of children:

- Ensure all rental housing (both social and private sector) meet minimum health and safety standards, according to an agreed Warrant of Fitness (WoF), such as the Healthy Housing Index. These standards should be monitored and effectively enforced, and gradually increased over time; and
- Further extend and target the current subsidy programme for insulating homes, with the longer-term aim of ensuring that all remaining un-insulated or poorly insulated homes (estimated at approximately 700,000) are properly insulated and effectively heated. Specific targeting is needed to incentivise landlords to insulate their rental properties.

I was pleased when the Government announced its response to the EAG's recommendations in Budget 2013, including the trialling and assessment of a WoF for state and private rental properties. Over the past three years I have been repeatedly assured this work is underway. I am therefore disappointed that the standards in this Bill only propose to make smoke detectors mandatory and that insulation only needs to meet 1978 standards in private rentals.

If Government wants to improve outcomes for children in cold, damp housing, I would have expected to see the following elements included in the Bill:

1. A heating standard for all properties, not just those in which insulation cannot be practically installed. The health benefits of insulation come from the combination of insulation *and* efficient space heating producing a warm, dry living environment. It is well known that children, especially very young children, suffer significant adverse health impacts from living in unheated environments;

2. An insulation standard consistent with Warm Up New Zealand retrofits. The 1978 standard in the Bill is too low and will not be sufficient to mitigate the impact of damp cold housing on children's health outcomes;
3. The inclusion of, or at least a trial of, an independent assessment of compliance with the new standards. The proposal that the system would be landlord declared, without independent assessment is not strong enough. It places the burden on tenants to challenge if they believe it is inaccurately reported which may not be possible for many of our more vulnerable families; and
4. That the standards should come into effect earlier than the three year timeframe outlined in the Bill. The health data is clear. Over the three years before implementation, thousands more children will become ill, and some will die. This delay will add further cost and burden to the health system and most importantly will damage children's health outcomes.

I also note that the Treasury indicated that the scope of the information in the regulatory impact statement for this bill was too limited to provide any assurance the best options were being considered or recommended. It is my view that this Bill will not achieve improvements in the quality of rental housing and will not reduce the numbers of children becoming ill from living in cold and damp housing.

I urge this Committee to consider again the original purpose of trialling a rental WoF and developing minimum rental quality standards: to improve the health and safety of tenants, particularly those on low incomes, and especially children. Please recommend to Government to make real changes as outlined above, to ensure our children have warm, dry and healthy homes.

I would like the opportunity to present on this submission to the Committee.

Kind regards

Dr Russell Wills
MB, Chb, Dip Obst, DCH, FRACP, MPH
Children's Commissioner