

Oral Submission on the Residential Tenancies Amendment Bill

Tēnā koutou, ko Liam toku ingoa, and I will be speaking to the Otago University Students' Association's submission on the Residential Tenancies Amendment Bill.

Firstly, I would like to thank the Committee for allowing OUSA the opportunity to speak on this legislation on behalf of the 19,000 taura across the motu that our organization represents. We believe the amendments proposed in this bill will have a profoundly negative impact on our members, most of whom are tenants in private rentals.

The OUSA recognizes the need for reform of the private rental market. However, we strongly oppose the reintroduction of the 90-day "no-cause evictions" as proposed in the Bill. Further, we oppose the shortening of specific lease termination from 63 days to 42 days. We would prefer this period to be extended to 90 days.

While we appreciate the sentiment of the pet bond, we find that the Bill as it stands fails to support students pet owners due to the cumulative six-week of rent would be expected to pay as a bond.

I am sure that for all members of the committee when I say "student tenants" many will picture couch burnings, outrageous parties and disrespectful tenants. But this is not the case for most student tenants. For most students all we want are warm flats that can support our wellbeing and allow us to perform at our academic best. However, this is not what we see in Dunedin. Cold, damp and otherwise "subpar" flats are the norm, and they have been for a while.

Students face unique factors that leave them in a more dire situation than most other tenants. Students are often, to put it politely, financially limited and this is demonstrated in the difficult challenge of spreading the \$303.32 of weekly studylink between rent, groceries and power. Most students are also ignorant to their rights as tenants due to limited experience flatting and limited education available to them.

To make this experience more difficult, by allowing landlords to evict tenants for no justification seems at best to misunderstand the current difficulties renters are facing and at worst callously negligent to the needs of tenants.

Beyond this principled argument, we are concerned with the impact on the power imbalance that no-cause evictions would bring into the landlord-tenant relationship. We are concerned that tenants would choose to simply keep quiet about maintenance for fear

of being evicted leading to serious damage both to person and property. Further, we are concerned that the power imbalance might inflame tenants into an “us versus them” mentality, in what should otherwise be a positive relationship.

We also question the length of notice periods described in the Bill. We find that 42 days is much too short for tenants. We find that the current 63-days is much more reasonable for tenants to find suitable accommodation. However, we would prefer an extension to 90 days as this would allow tenants greater security and a moment to breathe and find appropriate alternative accommodation.

We believe finding the balance between the needs of landlords of tenants is crucial however, to favour the needs of landlords in this case downplays the more serious consequences tenants would face. For tenants, if their lease is on notice they could end up rushing into unsuitable subpar accommodation, overpaying for that accommodation, joining “flat groups” that are not the correct fit leading to a hostile flatting environment, or sleeping rough if they can’t find accommodation.

Finally, we recognize that students are likely not the target demographic behind the pet bond. However, we find the cost of six-weeks' rent to be overly arduous for anybody to pay when entering into a lease, particularly students. It also seems intuitive that pet damage should simply be covered under the general bond, given the more comprehensive guidance set out in this bill.

In summary, we recommend that the 90-day no cause evictions be removed from the Bill as they provide landlords an unnecessary blank cheque to remove tenants for no reason. Further we recommend that the 42-day notice for the termination of a lease be at least retained at the current 63-days but would prefer a further extension to 90-days. Finally, we ask that the pet-bond be replaced by the inclusion of pet damage into the general bond.

I ask the members of the select committee to consider many of your times as tenants, and if that’s not possible think of over one million kiwis in private rentals across the country. The vast majority of whom are good tenants who simply want a roof over their head and a place to call home. I am not ignorant to the fact that there are poor tenants out there, but is that worth jeopardizing the security of all tenancy agreements? There are existing rules to terminate tenancies, if they are ostensibly failing landlords then strengthen these rules. Don’t throw the baby out with the bathwater and all no-cause evictions that will have detrimental effects on the wellbeing and safety of our communities.

Thank you very much for your time, I believe I finished early and if possible, I would like to use the rest of my time to answer any concerns or questions the select committee may have.