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To Youth Parliament

Please find attached DPA’s submission on Housing and Disabled People in Aotearoa/New Zealand for the Select Committee on Social Services and Community

Disabled Persons Assembly NZ

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# Introducing Disabled Persons Assembly NZ

Disabled Persons Assembly NZ (DPA) is a pan-impairment disabled person’s organisation that works to realise an equitable society, where all disabled people (of all impairment types and including women, Māori, Pasifika, young people) are able to direct their own lives. DPA works to improve social indicators for disabled people and for disabled people be recognised as valued members of society. DPA and its members work with the wider disability community, other DPOs, government agencies, service providers, international disability organisations, and the public by:

* telling our stories and identifying systemic barriers
* developing and advocating for solutions
* celebrating innovation and good practice

## **United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)**

DPA was influential in creating the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), a foundational document for disabled people which New Zealand has signed and ratified, confirming that disabled people must have the same human rights as everyone else.[[1]](#footnote-2) All state bodies in New Zealand, including local and regional government, have a responsibility to uphold the principles and articles of this convention. There are a number of UNCRPD articles pertinent to this submission, including:

### Article 5 – Equality and Non-discrimination[[2]](#footnote-3)

“In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided..”

### Article 9 – Accessibility[[3]](#footnote-4)

“States Parties shall take appropriate measures to ensure persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications.”

### Article 19 – Living independently and being included in the community[[4]](#footnote-5)

“Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement.”

## **New Zealand Disability Strategy 2016-2026**

Since ratifying the UNCRPD, the New Zealand Government has established a Disability Strategy to guide the work of government agencies on disability issues. The vision is that New Zealand be a non-disabling society, where disabled people have equal opportunity to achieve their goals and aspirations, and that all of New Zealand works together to make this happen[[5]](#footnote-6). It identifies eight outcome areas contributing to achieving this vision, including:

### Outcome 5 – Accessibility[[6]](#footnote-7)

“We access all places, services and information with ease and dignity.”

“Understand the impact of disability on housing needs and influence the social housing reform programme to meet the needs of disabled people.”

# The submission

DPA is providing this submission for the Youth Parliament Social Services and Community Committee to raise the question of how we can better ensure that disabled people have equitable access to safe, warm, dry, affordable and accessible housing.

DPA notes the focus on housing affordability in the Youth Parliament Select Committee’s inquiry. However, the issue of housing affordability is intertwined with the lack of Universal Design (UD) access to housing for many disabled people, especially for people who are mobility impaired or have impairments.

Examples of features of UD designed homes are, the provision of level entry access, wide doorways, wet floor showers, railed toilets, larger rooms, visual fire alarms, sufficient space for service animals/guide dogs to roam outside and lighting which can be varied to meet the needs of both blind/low vision and neurodiverse people. Our submission draws attention to these issues in order to provide context to the need for the interconnected issues of affordability and accessibility to be considered together. [[7]](#footnote-8)

In the 2019 September quarter, Statistics NZ estimated that there were 1,903,400 private dwellings in Aotearoa New Zealand.[[8]](#footnote-9) According to Lifemark, an organisation that promotes and endorses safe and accessible homes, less than 1% of these private dwellings met UD standards despite it being no extra cost to implement 90 percent of the Lifemark accessibility standards.

**Disabled New Zealanders bearing brunt of housing crisis**

For all the above reasons, disabled New Zealanders are bearing the brunt of the current housing crisis.

A recent report - completed as part of New Zealand’s requirements for monitoring our implementation of the UNCRPD - from the Dunedin-based Donald Beasley Institute (DBI), outlined the multiple issues facing disabled people in the housing space.

According to the report, these issues included:

*Disabled people report[ing] limited choices in accessible housing; difficulties in getting necessary housing modifications; a lack of control over their living situation; affordability barriers and discriminatory attitudes from people in power such as landlords, real estate agents and government housing support services.*

*These barriers result in disabled people living in inaccessible and unsafe homes, young disabled people living in retirement homes, and forcing some disabled people into homelessness. The lack of accessible housing impacts on disabled people’s health and wellbeing; and a lack of consideration of accessibility can lead to poor decisions and more costly accommodations. This is highlighted by the example of one disabled person’s requests for their Kiwibuild home to be built to their accessibility needs being repeatedly ignored during the build meaning that their new home was then required to be retrofitted with accessibility features.* [[9]](#footnote-10)

DPA acknowledges, that while the Ministry of Housing and Urban Development, Kainga Ora, Ministry of Social Development, private developers and some local councils, for example, the Thames District Council[[10]](#footnote-11) have made some progress in addressing housing issues for disabled people, including the building of more accessible stock designed and built to UD standards, the housing situation remains dire for many disabled people.

**Kainga Ora needs to lead by example**

This dire situation is reinforced by the policies of Government agencies, including most notably Kainga Ora (KO), which currently has only a 15 percent minimum target for building new accessible housing to UD standards. While an improvement on the policies of its predecessor Housing New Zealand which never had an accessibility target, the 15 percent figure chosen by the agency has been deemed as being too low by the disabled community and our organisations including DPA.

In fact, disabled people require access to the affordable housing that both Kainga Ora and other social agencies provide given that disabled people are more likely to be low-income earners than the non-disabled population and also face higher living costs due to disability.[[11]](#footnote-12) Most importantly, disabled people are more likely to rent than non-disabled people as 2013 figures [the most recent] showed that 38% of disabled people rented compared to 30% of non-disabled people[[12]](#footnote-13). It is likely that this gap is even higher now.

Many disabled people are renting for longer or even for life: the lack of accessible rental properties and other barriers to accessing rental properties mean that many experience major challenges accessing suitable private rental homes[[13]](#footnote-14). These challenges include affordability, accessibility and discrimination on the part of landlords and property managers and the increasingly prohibitive cost of market-based rents.[[14]](#footnote-15) All of this is despite the fact that while many disabled people access housing-based welfare assistance in the form of the Accommodation Supplement, any increases to this payment have been absorbed through rent increases, thus adding to the housing stress of many in our disabled community.[[15]](#footnote-16)

Given that KO is Aotearoa’s leading social housing landlord, it must lead by example in the accessible, affordable housing space, thereby giving leadership to the wider housing sector – public, private and community-based – to do the right thing when it comes to inclusive, affordable housing design. That is why it is essential that KO changes its target from being 15% to 100% or very close to it

**Private housing market too expensive for disabled to buy**

The private housing market is too prohibitively expensive for disabled house buyers as well. Given our over-representation in the lower socio-economic quintile of the population and the high costs of living with disability, this is unsurprising.

Flagship Government programmes designed to get first home buyers into affordable housing, key amongst them KiwiBuild, has been bedevilled by many issues but one of the least reported is that of the inaccessibility of KiwiBuild homes and the discriminatory barriers to disabled people around qualifying for them. A series of recent articles by disabled journalist Olivia Shivas recently exposed these in that disabled people are not prioritised within the ballot system used to select buyers[[16]](#footnote-17) and, moreover, that approximately 95% of the KiwiBuild homes were inaccessible as only 5% of their homes were deemed accessible.[[17]](#footnote-18)

This lack of accessibility is accentuated in the private sector by the additional costs involved in building new accessible housing. Another article by Shivas highlights the issues faced by a wheelchair user in the Waikato region who found that while it was better to design and build his own accessible home (after a fruitless search for accessible housing to buy) that the costs of actually building one were higher than for a non-accessible home, therefore, raising the cost of doing so to him and his partner.[[18]](#footnote-19)

Associated with this is the issue of who pays for modifications. The inequitable nature of the health and disability funding system is exposed, particularly when it comes to housing modifications and who pays for them. For disabled people who come under Ministry of Health funding for housing modifications, they are required to undergo an income and cash assets test administered by Work and Income to ascertain their eligibility[[19]](#footnote-20) whereas Accident Compensation Corporation (ACC) will pay for any modifications needed to deal with a person’s injury without any means test.[[20]](#footnote-21) This means that any disabled person who receives MOH funding maybe required, depending on their income, to pay any additional costs involved in modifying their home whereas disabled ACC clients do not face the same barrier.

# DPA’s recommendations

**What needs to be done to address the housing affordability issues faced by disabled people?**

The issue of housing affordability for disabled people must be simultaneously tackled alongside the accessibility issue.

We have several recommendations for Youth Parliament Select Committee to consider and place before all MPs when it reports on the issue of housing affordability to the House.

These are as follows:

**Recommendation 1:** That accessibility and updated building legislation incorporate the need for Universal Design (UD) standards to be incorporated into all new housing builds, thereby providing for affordable, accessible housing to become more widely available throughout Aotearoa.

**Recommendation 2:** That rent controls be brought in by Government to restrain the rising cost of private sector rents while a government-led programme of mass social and community housing construction is undertaken, which will aid in the stabilisation and eventual reduction of rental costs to all tenants, including disabled people.

**Recommendation 3:** That Kainga Ora raises its universal design accessibility target to 100% of all new builds and retrofits or close to it in order to increase the stock of accessible homes available in the public sector and to ensure that it becomes a leader in the accessible housing space.

**Recommendation 4:** That current barriers to disabled people accessing KiwiBuild and other government funded housing programmes be removed, including prioritising the needs of disabled people in the KiwiBuild housing ballot system and raising the number of KiwiBuild homes designed and built to UD accessibility standards to 100% or close to it.

**Recommendation 5:** That Government expand on its house buying support programmes by re-introducing very low interest, no deposit loans aimed at low-income groups such as beneficiaries, disabled people and low paid working families/whanau and individuals, similar to the favourable, targeted loans which were available from Housing Corporation and its State Advances predecessor in the past (known as 3% loans).

**Recommendation 6:** That the existing housing modification assistance programmes offered by ACC and the Ministry of Health be aligned with one another by removing the requirement for Ministry-funded clients to be means and cash tested.

**Recommendation 7:** DPA recommends that Government work collaboratively with disabled people, and disabled people’s organisations including DPA to co-design policies and programmes which will improve the accessibility and affordability of housing for all disabled people.

# Conclusions

Disabled people remain largely locked out of the private housing market due to the affordability of both housing prices and market rentals. In terms of state and community owned housing, disabled people fare no better due to the current stringencies of Kainga Ora’s position on providing more accessible housing.

However, Government can help turn the tide of disabled people having limited choices in terms of the unaffordable and inaccessible housing we currently have. DPA acknowledges that Government have made a start in this space through having Kainga Ora agree to a minimal target of new accessible homes. Nevertheless, it needs to go further, faster as accessible housing was needed by disabled people yesterday. In fact, disabled people experienced a housing crisis before there was one within the non-disabled population.

As Aotearoa has previously been amongst the world leaders in social housing provision, we can and must do better and our recommendations are crucial if this is to be achieved.

DPA would like to be heard in support of this submission.

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2. 2 United Nations. (2006). *United Nations Convention on the Rights of People with Disabilities – Article 5.*Retrieved from: https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-5-equality-and-non-discrimination.html  [↑](#footnote-ref-3)
3. United Nations. (2006). *United Nations Convention on the Rights of People with Disabilities – Article 9.*Retrieved from: https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-9-accessibility.html [↑](#footnote-ref-4)
4. United Nations. (2006). *United Nations Convention on the Rights of People with Disabilities – Article 19.*Retrieved from: https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-19-living-independently-and-being-included-in-the-community.html [↑](#footnote-ref-5)
5. Office for Disability Issues. (2016). *New Zealand Disability Strategy.* Retrieved from: https://www.odi.govt.nz/nz-disability-strategy/ [↑](#footnote-ref-6)
6. Office for Disability Issues. (2016). *New Zealand Disability Strategy – Outcome 5.* Retrieved from: https://www.odi.govt.nz/nz-disability-strategy/outcome-5-accessibility/  [↑](#footnote-ref-7)
7. *Auckland Design Manual.* Retrieved from <https://www.aucklanddesignmanual.co.nz/design-subjects/universal_design.> This manual from Auckland Council provides the best overview of Universal Design from a New Zealand perspective. [↑](#footnote-ref-8)
8. Statistics NZ (2019, October 7). *Dwelling and household estimates: September 2019 quarter.*Retrieved May 26 2020, fromhttps://www.stats.govt.nz/information-releases/dwelling-and-household-estimates-september-2019-quarter   [↑](#footnote-ref-9)
9. Donald Beasley Institute. (2022). *My Experiences, My Rights: A Monitoring Report on Disabled Person's Experience of Housing in Aotearoa New Zealand*, p.8. [↑](#footnote-ref-10)
10. Lifemark New Zealand. (n.d.). *Thames Coromandel District Council incentivizes Universal Design in Housing*. https://www.lifemark.co.nz/case-studies/thames-coromandel-district-council-incentivises-universal-design-housing/ [↑](#footnote-ref-11)
11. Statistics New Zealand. (2020, October 28). *Measuring inequality for disabled New Zealanders*. Retrieved June 10, 2022 from <https://www.stats.govt.nz/reports/measuring-inequality-for-disabled-new-zealanders-2018#economic> [↑](#footnote-ref-12)
12. Lifemark (2017).  *Accessible Housing by the Numbers*. Retrieved May 26 2020, from:<https://www.lifemark.co.nz/news/accessible-housing-by-the-numbers/>    [↑](#footnote-ref-13)
13. Harwood, B. (2019, October 20). *Accessible rentals prove hard to find*. The Star. <https://www.odt.co.nz/news/dunedin/accessible-rentals-prove-hard-find> [↑](#footnote-ref-14)
14. Donald Beasley Institute. (2022). *My Experiences, My Rights: A Monitoring Report on Disabled Person's Experience of Housing in Aotearoa New Zealand*, p.8 [↑](#footnote-ref-15)
15. Scoop. (2022, March 31). Methodist Alliance: Benefit Support Increases But Remain Inadequate. https://www.scoop.co.nz/stories/AK2203/S00693/benefit-support-increases-but-remain-inadequate.htm [↑](#footnote-ref-16)
16. Shivas, O. (2022, May 28). *Calls for government to make Kiwibuild programme more accessible*. Stuff. https://www.stuff.co.nz/pou-tiaki/128765703/calls-for-government-to-make-kiwibuild-programme-more-accessible [↑](#footnote-ref-17)
17. Shivas, O. (2022, May 28). *KiwiBuild is not built for all Kiwis*. Stuff. https://www.stuff.co.nz/pou-tiaki/128665590/kiwibuild-is-not-built-for-all-kiwis [↑](#footnote-ref-18)
18. Shivas, O. (2022, May 30). *Lack of accessible design leads wheelchair user to design own home.* *https://www.stuff.co.nz/pou-tiaki/128744759/lack-of-accessible-housing-leads-wheelchairuser-to-design-his-own-home* [↑](#footnote-ref-19)
19. Ministry of Health. (2016, April 28). *Modifying your home: Income and cash asset testing for housing modifications*. [↑](#footnote-ref-20)
20. Accident Compensation Corporation. (n.d.) Housing Modification Service for ACC. hrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.enable.co.nz/assets/Uploads/ACC-Housing-Service.pdf [↑](#footnote-ref-21)