25th March 2020

Please find attached DPA’s submission on the Residential Tenancies Amendment Bill

## Disabled Persons Assembly NZ

Contact:

## **Prudence Walker**

## **Chief Executive**

## **021 546 006**

## **policy@dpa.org.nz**

# Introducing Disabled Persons Assembly NZ

The Disabled Persons Assembly NZ (DPA) is a pan-disability 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

# General Comment

DPA strongly supports many of the provisions of this bill, particularly those aimed at increasing security of tenure for tenants and supporting tenants' ability to assert their legal rights.

In NZ homeownership rates have declined and disabled people are more likely than non-disabled to live in a rented property. In 2013, 38% of disabled people rented compared to 30% of non-disabled[[1]](#footnote-2). 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 many experience major challenges accessing suitable private rental homes[[2]](#footnote-3).

The current Covid-19 crisis has exacerbated this situation with some disabled people trapped in temporary housing because they cannot find accessible rental properties.

**Right to housing.**

Article 28[[3]](#footnote-4) of the UN Convention on the rights of Person with Disabilities (UNCRPD) affirms the right of disabled people to an adequate standard of living and social protection including housing, and the realization of that right without discrimination on the basis of disability.

# DPA’s recommendations

**Ability to make minor changes.**

DPA is pleased that the bill sets out processes for tenants to make minor changes to their rental accommodation. DPA strongly supports this provision because it will make it easier to ensure that rental properties are safer and more liveable for disabled people. We are aware of many simple disability modifications that disabled people need to be able to make to ensure their safety and well-being.

Some examples are

* Toilet / shower grab bars, these are needed for many disabled people to be able to safely use toilets and showers and reduce the risk of harm from falls.
* Locks to keep children safe
* Handrails for steps
* Visual fire alarms and doorbells for hearing-impaired tenants.

We would like to see an additional clause that prevent landlords and agents using blanket criteria to screen out tenants that effectively discriminate on the basis of disability.

For example, many rental agencies have a blanket “no dogs” policy which discriminates against disabled people who have service dogs (which include hearing dogs, guide dogs and assistance dogs).

DPA is aware of cases where disabled people with service dogs have struggled to find a rental home[[4]](#footnote-5).

**Ultra-fast broadband**.

A recent paper [[5]](#footnote-6) by the Motu Economic and Public Policy Research Trust found that access to the internet is strongly linked to wellbeing and civic engagement. They concluded that provision of internet infrastructure could be considered to be of similar importance to the provision of water, sewerage and electricity to these tenants.

They identified disabled people as one of the groups particularly disadvantaged with respect to internet access. Enabling internet use can be regarded as a key intervention to improve the opportunities for disabled people to connect with the rest of society.

For these reasons DPA supports improving the process for the installation of fibre in rental properties, however we think it is unreasonable to expect tenants to cover the cost of installation, as the addition of broadband will improve the value of the property.

**Prohibition of rental bids and limiting rent increases.**

DPA supports the prohibits the solicitation of rental bids by landlords, and the requirement that landlords must specify a rent amount when advertising a rental property. We also strongly support limiting rent increases to once every 12 months, instead of the current provisions of six months in the Residential Tenancies Act as it stands, as disabled people are particularly disadvantaged by these.

**Periodic Leases**

We strongly support fixed term leases become periodic tenancies at the end of the lease period. This will create incentives for longer-term tenancies and greater security for tenants which is particularly important for disabled people who are less able to move from year to year

1. <http://m.stats.govt.nz/browse_for_stats/health/disabilities/disability-housing-2013#rental> [↑](#footnote-ref-2)
2. <https://www.odt.co.nz/news/dunedin/accessible-rentals-prove-hard-find> [↑](#footnote-ref-3)
3. “States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability”. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-28-adequate-standard-of-living-and-social-protection.html> [↑](#footnote-ref-4)
4. <https://www.nzherald.co.nz/lifestyle/news/article.cfm?c_id=6&objectid=11509048> [↑](#footnote-ref-5)
5. <https://motu.nz/our-work/wellbeing-and-macroeconomics/well-being-and-sustainability-measures/digital-inclusion-and-wellbeing-in-new-zealand> [↑](#footnote-ref-6)