

A guide for landlords, property managers and tenants

# Healthy Homes Standards



**Tenancy  
Services**

**Raise the  
standard**

# This guide provides the information necessary to make sure rental properties comply with the healthy homes standards, including:



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Please note this information is a guide only, and may not cover all situations. It should not be used as a substitute for legislation or for legal or other expert advice.

# What are the healthy homes standards?

Landlords are responsible for maintaining and improving the quality of their rental properties. They are operating a business, and are expected to provide a service that reaches a minimum standard.

The healthy homes standards introduce specific and minimum standards for heating, insulation, ventilation, moisture

ingress and drainage, and draught stopping in rental properties. These standards will make it easier for tenants to keep their homes warm and dry, with positive outcomes for tenants' health.

Landlords who implement the healthy homes standards will have healthier, drier properties and lower maintenance costs for their investments.

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*Landlords must make sure that anything provided to meet these standards is appropriate, maintained in good working order, or replaced as needed. All insulation and ground moisture barrier work must be done in accordance with New Zealand Standard 4246:2016 **standards.govt.nz/sponsored-standards/building-standards/nzs4246/**.*

*All residential rental properties must comply with the healthy homes standards by a certain time. There is more information on timeframes later in this guide.*



## Heating

There must be one or more fixed heater(s) that can directly heat the main living room and meet a required heating capacity.

Certain heating devices that are inefficient, unaffordable or unhealthy will not meet the requirements of this standard (see page 5).



## Insulation

Underfloor insulation needs a minimum R-value\* of 1.3. Existing ceiling insulation may need to be topped up or replaced if it is not in a reasonable condition, and in most situations, existing ceiling insulation needs to be at least 120mm thick. If ceiling insulation needs to be topped up, it needs to meet minimum R-values as set out in the 2008 Building Code.



## Ventilation

There must be windows, skylights or doors that open to the outside in the living room, dining room, kitchen and bedrooms. These must be able to be fixed in the open position and their area must be at least five per cent of the room's floor area.

There must be mechanical ventilation in kitchens and bathrooms that vents extracted air outside.



## Moisture ingress and drainage

There must be efficient drainage, guttering and downpipes.

Rental properties that have an enclosed subfloor must have a ground moisture barrier (if it's reasonably practicable to install one).



## Draught stopping

Landlords must block any unreasonable gaps and holes in walls, ceilings, windows, floors and doors that cause noticeable draughts.

Open fireplaces must be blocked unless the tenant and landlord agree otherwise.

\* 'R' stands for resistance – an R-value is a measure of how well insulation resists heat flow.

# Heating



Landlords must provide one or more fixed heaters that can directly heat the main living room and meet a required minimum heating capacity. This will allow the room to be heated to 18°C all year round.

## Why?

The World Health Organization (WHO) recommends a minimum indoor temperature of 18°C. Installing a fixed heater with the required capacity to reach this temperature allows tenants to heat their living room to healthy temperatures.

## How to define a living room

A living room is a room that is used for general everyday living. It can be a lounge, dining room, sitting room or family room. If there is more than one living room, only the main living room requires heating. The main living room is usually the largest living room.

Open plan areas are considered one space and will need an appropriately sized heater for that space.

Boarding houses: if there is more than one communal living room, the main living room is the largest communal living room.

## How to find out what size heater is needed

Landlords can use one of two methods to calculate what size heater is required – either the formula provided in Schedule 2 of the regulations,<sup>1</sup> or the online heating assessment tool ([tenancy.govt.nz/heating-tool](https://tenancy.govt.nz/heating-tool)).

The tool asks a series of questions about:

- what region the property is in (to understand the local climate)
- how much space needs to be heated
- what surfaces (walls, ceilings, floors, windows, skylights and doors) heat can escape through
- how well these surfaces are insulated
- whether walls, ceilings or floors are external, internal or a mix.

The tool provides a report that shows the minimum heating capacity in kilowatts required for each property. It can be used to check if the current heating will meet the standard, or if the landlord needs to install a new heater. Landlords should keep the heating assessment tool report to show their compliance with the heating standard.

<sup>1</sup> Go to [legislation.govt.nz](https://legislation.govt.nz) and search for Residential Tenancies (Healthy Homes Standards) Regulations 2019.

## TIP

**If you need to upgrade your insulation, do this first as it may affect what size heater you need.**

Alternatively, from 12 May 2022 certain qualified specialists may calculate the required heating capacity under the healthy homes regulations. See 'Alternative pathway to compliance' below.

### General requirements for heaters

Heaters must:

- be located in the main living room, or provide heat directly to the main living room (eg through a duct or vent)
- be fixed to the home
- have a heating capacity of at least 1.5kW
- have a thermostat if it's an electric heater or heat pump.

*Note: electric heaters (except heat pumps) are only allowed in living rooms that need 2.4kW of heating or less. In some cases, eg small apartments, a smaller fixed electric heater will be enough.*

Central heating will meet the standard as long as it provides heat directly to the main living room (eg through vents or radiators) and has the required capacity.

Some types of heaters can't be used to meet the standard as they are either inefficient, unaffordable to operate and/or unhealthy to run. These are:

- unflued combustion heaters, eg portable LPG bottle heaters, and
- open fires, and
- heaters that are less than 1.5 kilowatts, and
- electric heaters (except heat pumps) where the required heating capacity for the room is more than 2.4 kilowatts.

In most cases new heating will need to be installed by a licensed electrical worker or registered gas fitter. Wood and pellet burners require consent for installation.

### 2022 heating standard updates

A new heating formula applies for the following types of rental properties:

- Rental properties built to the 2008 building code.
- Apartments which are a part of a residential building of at least three storeys and have six or more commercial or residential units.
- Rental properties where the insulation and glazing has been upgraded throughout, so that it now meets or exceeds the 2009 insulation and glazing standards.

This will generally enable smaller heating devices to be installed in these types of properties, to better reflect how they retain heat.

The heating assessment tool has been updated to include these changes.

All other types of rental properties continue to use the original formula.



Landlords of all properties will be able to use the heating assessment tool to calculate their heating requirements.

### **Alternative pathway for compliance**

As an alternative to the heating formula/tool, certain qualified specialists are able to assess the required heating capacity using criteria set out in the regulations.

A specialist is considered to be:

- a chartered professional engineer within the meaning set out in section 6 of the Chartered Professional Engineers of New Zealand Act 2002,
- an International Professional Engineer registered with Engineering New Zealand, or
- a person who has completed a tertiary engineering, physics or building science qualification at New Zealand Qualification Framework Level 7 or above, and has at least 5 years of professional experience in heating system design.

See 'Keeping records' (page 20) for details of the relevant documentation landlords will need to hold if this compliance method is being used.

### **Geothermal heating**

Some properties (mainly in Rotorua) can meet the heating standard by using geothermal heating, if the heater:

- is powered by geothermal energy
- provides direct heat to the main living room, and
- doesn't have a stated heating capacity and for which it is not possible to state its heating capacity.

### **If there is existing heating**

Landlords don't need to add more heating if they have one or more existing heaters that:

- were installed before 1 July 2019, and
- each have a heating capacity greater than 2.4kW, and
- meet the general requirements for heaters outlined above, and
- have a combined total heating capacity that is at least 80 per cent of what is required.

This only applies to heating devices installed before 1 July 2019. When the heater needs replacing, it must be replaced with one that meets all the requirements of the heating standard.

## Topping up existing heating

If you're adding a new heater or heaters to a main living room with existing heating, each heater must meet the requirements in the healthy homes standards, with one exception. If the existing heating doesn't have the required heating capacity, landlords can add a smaller fixed electric heater to 'top up' the heating. In this situation, landlords must meet all these conditions:

- the existing heating was installed before 1 July 2019
- the required heating capacity is more than 2.4kW
- the existing heating meets the general requirements for heaters
- the 'top up' needed is 2.4kW or less.

For example, if you have a heat pump with a heating capacity of 3.6kW, but you need a total heating capacity of 6.0kW, you can add a fixed 2.4kW electric heater with a thermostat to meet the standard.

## Next steps

If you need to install a new heater, or you need help calculating the required heating capacity, the following organisations can help:

- Community Energy Network
- New Zealand Home Heating Association
- Master Plumbers (gasfitters)
- Climate Control Companies Association of New Zealand (CCCANZ)
- Home Performance Advisors (HPA).

## Exemptions to the heating standard

There are two specific exemptions to the heating standard. These exemptions are:

- where it is not reasonably practicable to install a qualifying heating device
- where the rental property is a certified passive building.

It is not reasonably practicable to install something if a professional installer can't access the area without:

- carrying out substantial building work, or
- causing substantial damage to the property, or
- creating greater risks to a person's health and safety than is normally acceptable, or
- it is otherwise not practicable for a professional installer to carry out the work.

These are in addition to the general exemptions covered later in this guide.

**If you plan on renovating to make the living room larger (for example by removing a wall) consider installing a heater that will meet the requirements of the larger living room size and layout.**

**TIP**



# Insulation



Underfloor insulation needs a minimum R-value\* of 1.3. Existing ceiling insulation may need to be topped up or replaced if it is not in a reasonable condition, and in most situations, existing ceiling insulation needs to be at least 120mm thick. If ceiling insulation needs to be topped up, it needs to meet minimum R-values as set out in the 2008 Building Code.

## Why insulate?

Insulation keeps heat from escaping from the house. In general, the better insulated a rental home is, the more it will retain heat. This means it will usually cost less to heat the property, the property will be drier and there will be less mould.

## What's changed with insulation requirements?

The 2016 insulation requirements state that ceiling and underfloor insulation is compulsory in all rental homes from 1 July 2019 where it is reasonably practicable to install. This requirement is still in place.

Landlords who installed all new insulation to meet the 2016 insulation requirements should meet the healthy homes standards as long as the insulation is still in reasonable condition.

Insulation is not considered to be in a reasonable condition if there are signs of damage. This could include:

- dampness, mould, water damage
- rips, tears

- gaps in the insulation coverage, except where safety clearances are required
- settlement or compression below 120mm of depth
- pests (eg rodents or insects) or bird nests
- any other damage or contamination.

From the relevant healthy homes compliance date (see page 24), the minimum R-value for ceiling and underfloor insulation will increase. This will primarily affect properties that had existing insulation as at 1 July 2016.

Landlords with rental properties that had existing insulation at 1 July 2016 may not have needed to upgrade their insulation previously. Landlords of these properties (likely to have had insulation installed between 1978 and 2008) will now need to upgrade the insulation to meet the healthy homes standards.




Properties that meet the 2016 regulations for underfloor insulation that became compulsory on 1 July 2019 will in most cases meet the healthy homes insulation standard or a partial exemption may apply (see page 9).

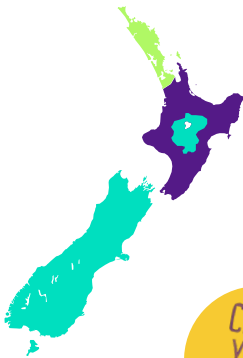
\* 'R' stands for resistance – an R-value is a measure of how well insulation resists heat flow.

## Requirements for insulation

Insulation requirements under the healthy homes standards are measured by R-value. Minimum R-values vary across New Zealand, as shown in the map below.

### Map of climate zones

-  **Zone 1**  
Ceiling R 2.9, underfloor R 1.3
-  **Zone 2**  
Ceiling R 2.9, underfloor R 1.3
-  **Zone 3**  
Ceiling R 3.3, underfloor R 1.3



Find out the R-value of new or existing insulation by:

- checking the product packaging
- checking whether a product label is stapled to a beam in the ceiling or underfloor area
- checking installation certificates, invoices or building records from the local council
- consulting a professional insulation installer.

If ceiling insulation was installed prior to 1 July 2016, its thickness can be assessed by manually measuring (in most situations, existing ceiling insulation must be at least 120mm thick).

Landlords can check whether they need to upgrade insulation by using the online insulation tool at [tenancy.govt.nz/insulation-tool](https://tenancy.govt.nz/insulation-tool).

Insulation must be installed in accordance with NZS4246:2016. It must be in a reasonable condition, with no mould, dampness or gaps.

For more information, including lists of certified providers, visit the Insulation Association of New Zealand ([iaonz.co.nz](https://iaonz.co.nz)) or the Energy Efficiency Conservation Authority ([energywise.govt.nz](https://energywise.govt.nz)).

### Exemptions to the insulation standard

There are three specific exemptions to the insulation standard. These are:

#### 1. Exemption where work is impracticable or unsafe

This exemption covers properties where it is not reasonably practicable to install insulation.

It is not reasonably practicable to install something if a professional installer can't access the area without:

- carrying out substantial building work, or
- causing substantial damage to the property, or
- creating greater risks to a person's health and safety than is normally acceptable, or

- it is otherwise not reasonably practicable for a professional installer to carry out the work.

For example:

- there isn't enough space for a professional to install insulation in the roof cavity or subfloor, or
- there is no cavity (eg concrete slab foundations).

## 2. Partial exemption for certain underfloor insulation

This partial exemption applies to existing underfloor insulation that met requirements under an enactment or bylaw at the time it was installed (for example when the property was built or building work carried out). Landlords must have a copy of any compliance documents that shows the home met the requirements of the time, ie code compliance certificate, certificate of acceptance or another relevant compliance document. If this insulation is in reasonable condition it will meet the healthy homes standards for underfloor insulation.

## 3. Exemption for ceilings and floors where another domestic living space is directly above or below

This exemption applies if there is another domestic living space (eg another apartment) immediately above or below the rental property.

These are in addition to the general exemptions covered later in this guide.

**If you need to upgrade your underfloor insulation, install your ground moisture barrier at the same time.**

**TIP**

## Safety note

Landlords may choose to use a professional insulation installer, but there is no legal requirement to do so. Landlords who choose to install insulation themselves should remember that safety is crucial. Follow the guidelines in New Zealand Standard 4246:2016 if installing insulation yourself (available at [standards.govt.nz/sponsored-standards/building-standards/nzs4246/](https://standards.govt.nz/sponsored-standards/building-standards/nzs4246/)).

Repairing or retrofitting foil insulation is banned under the Building Act where a property has existing electrical installations. In most cases, existing foil insulation will not meet the requirements, unless it is still in reasonable condition and the criteria for an R-value exemption applies (see the insulation guidance document at [tenancy.govt.nz/healthy-homes/insulation-standard/](https://tenancy.govt.nz/healthy-homes/insulation-standard/) for further details).

Do not touch foil insulation without turning off the power at the mains first as there is an electrocution risk. Even after turning off the power the foil may still be live. Any work on foil insulation should be done by a qualified professional.

# Ventilation

The living room, dining room, kitchen and bedrooms of rental properties must have at least one or more windows, doors or skylights that open to the outdoors, and can be fixed in an open position. The combined openable area of the windows, doors or skylights must be at least five per cent of the floor area in each room.

All kitchens and bathrooms must have an extractor fan or certain continuous mechanical ventilation that ventilates to the outside.

## Why ventilate?

Mould and dampness caused by poor ventilation is harmful for tenants' health as well as landlords' property. The ventilation standard targets dampness and mould in rental homes.

## Window requirements

The total 'openable area' refers to the total area of the internal side of the openable windows, doors, or skylights, including the framing and joinery. How far you can open the windows or doors is not applicable to the ventilation standard.

This requirement has been in place since 1947 as part of the Housing Improvement Regulations<sup>2</sup> and is still a requirement for new builds under the Building Code. Most homes will meet this standard without any further work. If there have been renovations, it is worth checking that there are still enough openable windows and doors for ventilation.

## Requirements for mechanical ventilation

For the ventilation standard, a 'kitchen' is a room with an indoor cooktop and a 'bathroom' is a room that has a bath or shower. All kitchens and bathrooms must have an extractor fan or continuous mechanical ventilation that extracts air to the outside. Rangehoods and central systems that recirculate air (without venting to the outside) can still be used but will not meet the standard.

The regulations don't specify where in a room the extractor fan should be installed. The best option is to install a fan as close to the source of moisture as possible, however, this may not be practical in all situations.

## Requirements for new extractor fans

**Kitchen extractor fans:** the fan and all ducting must be at least 150 mm in diameter or the fan with ducting must have an exhaust capacity of 50 litres per second. A rangehood is suitable if it ventilates to the outside.

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<sup>2</sup> [legislation.govt.nz/regulation/public/1947/0200/latest/whole.html](https://legislation.govt.nz/regulation/public/1947/0200/latest/whole.html)

**Installing a timer on fans or a humidity sensor can improve ventilation.**

**TIP**

**Bathroom extractor fans:** the fan and all ducting must be at least 120 mm in diameter, or the fan with ducting must have an exhaust capacity of 25 litres per second.

If there is more than one fan installed in a kitchen or bathroom, at least one of them needs to meet the requirements.

If there is more than one kitchen or bathroom, appropriately sized extractor fans must be installed in all rooms with baths, showers or indoor cooktops.

Landlords should ask installers for the details of the fan diameters, ducting and exhaust capacity in writing, so they can show they are compliant with the healthy homes ventilation standard.

### **Existing extractor fans**

Existing extractor fans installed before 1 July 2019 must be in good working order and ventilate to the outside. These fans don't need to meet the size or performance requirements.

### **Continuous mechanical ventilation**

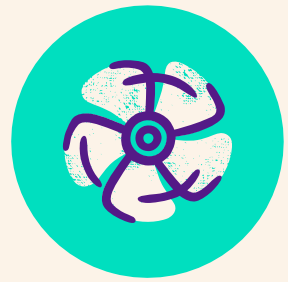
The ventilation standard also allows properties with certain continuous mechanical ventilation in kitchens and bathrooms to satisfy the standard.

If your home was built with a continuous mechanical ventilation system, to meet the standard it must:

- be designed to vent extracted air continuously from residential premises to the outdoors, and for a kitchen or bathroom, extracts the air directly from the room, and
- have been installed in the premises or a tenancy building that first received building consent on or after 1 November 2019 and was part of that original building consent, and continues to meet the requirements of the building consent.

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<sup>3</sup> Please note the description provided here is not fully comprehensive and cannot be relied on for compliance with the healthy homes ventilation standard. For a complete overview of ventilation exemptions, please see the ventilation guidance document: [tenancy.govt.nz/healthy-homes/ventilation-standard/](https://tenancy.govt.nz/healthy-homes/ventilation-standard/)



Alternatively, if your home has been renovated and now includes a continuous mechanical ventilation system, to meet the standard, the system must:

- be designed to provide ventilation for multiple rooms and to continuously extract air to the outdoors, and
- extract air directly out of the kitchen and bathroom, with an exhaust capacity of at least 12 l/s in the kitchen and 10 l/s. in the bathroom. The actual flow rate may be varied (manually or automatically), in response to the demand for ventilation.

Recirculating systems (products like HRV and DVS systems), or fans that do not extract to the outdoors are not suitable to meet the ventilation standard.

### Exemptions to the ventilation standard

There are two specific exemptions to the ventilation standard:<sup>3</sup>

1. A room does not need to meet the requirements for openable windows and external doors if it was lawful at the time it was built or converted.

2. The landlord will not be required to install an extractor fan if **all of the following apply** to that room:

- it is not reasonably practicable to install an extractor fan
- when the room was built or converted, not having an extractor fan was lawful; and
- if not having an extractor fan was lawful only because the room met alternative ventilation requirements, the room still meets those requirements.

It is not reasonably practicable to install something if a professional installer can't access the area without:

- carrying out substantial building work, or
- causing substantial damage to the property, or
- creating greater risks to a person's health and safety than is normally acceptable, or
- it is otherwise not reasonably practicable for a professional installer to carry out the work.

These are in addition to the general exemptions covered later in this guide.

# Moisture ingress and drainage

Rental properties must have efficient drainage for the removal of storm water, surface water and ground water, including an appropriate outfall. The drainage system must include gutters, downpipes and drains for the removal of water from the roof.

If the rental property has an enclosed subfloor, a ground moisture barrier must be installed if it is reasonably practicable to do so.

## Why?

Damp homes can lead to poor health outcomes for tenants and can be destructive to the quality of a house.

## Drainage and guttering

A rental property must:

- efficiently drain storm water, surface water and ground water to an appropriate outfall, and
- include appropriate gutters, downpipes and drains to remove water from the roof.

This requirement has been in place since 1947 as part of the Housing Improvement Regulations. Most properties will meet this requirement without any further work, however, landlords should check that everything is working correctly.

When assessing a rental property, landlords should look for these things:

- that gutters and downpipes are present to carry away water from all parts of the roof
- that all gutters and downpipes do not overflow during normal rainfall

- that gutters have sufficient fall for water to flow into the connected downpipe (no stagnant water)
- that gutters and downpipes are intact and fixed well to the home (not loose)
- that gutters and downpipes are not blocked
- that all downpipes direct water to an appropriate outfall, such as the storm water system provided by the local Council
- that there is no surface water from surrounding ground flowing under the building
- that there is no water rising up through damaged brick or concrete masonry, foundations or floors.

## Ground moisture barrier

A ground moisture barrier is generally a polythene sheet that can be bought from most building retailers. It can be installed by a home owner or a building professional.

Ground moisture barriers must either:

- be a polythene sheet installed in accordance with section 8 of New Zealand Standard NZS4246:2016,<sup>4</sup> or



- have a vapour flow resistance of at least 50MNs/g and be installed by a professional installer.

### Enclosed subfloor space

A subfloor space is enclosed if the air flow in and out of the subfloor space is obstructed along at least 50% of the subfloor perimeter by:

- a masonry foundation wall
- other claddings such as cement board or a solid timber skirt
- attached structures, such as a garage or carport
- earth or rock
- any other solid obstruction to air flow.

Take care when working in a subfloor space. These spaces can contain many hazards that can cause serious injury or disease. Common hazards include electric shock or electrocution from live wires or foil insulation, getting trapped, sharp objects such as glass and nails, hazardous substances or other biological contamination.

Before entering the subfloor, particularly if it has foil insulation, turn the power off at the mains to reduce the chances of electrocution – see the New Zealand Electrical Code of

Practice, NZECP 55, for more information.<sup>5</sup>

Take safety precautions – wear safety equipment, including gloves, dust mask, overalls, and protective eye and footwear.

### Exemptions to the moisture and drainage standard

There is one specific exemption to the moisture and drainage standard. This exemption covers properties where it is not reasonably practicable to install a polythene ground moisture barrier. It is not reasonably practicable to install something if a professional installer can't access the area without:

- carrying out substantial building work, or
- causing substantial damage to the property, or
- creating greater risks to a person's health and safety than is normally acceptable, or
- it is otherwise not reasonably practicable for a professional installer to carry out the work.

This is in addition to the general exemptions covered later in this guide.

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<sup>4</sup> [standards.govt.nz/sponsored-standards/building-standards/nzs4246/](https://standards.govt.nz/sponsored-standards/building-standards/nzs4246/)

<sup>5</sup> [worksafe.govt.nz/laws-and-regulations/standards/electricity-standards-and-codes-of-practice/](https://worksafe.govt.nz/laws-and-regulations/standards/electricity-standards-and-codes-of-practice/)



# Draught stopping

Any unreasonable gaps or holes in walls, windows, ceilings, floors and doors that cause noticeable draughts must be blocked. Landlords will have to block the fireplace or chimney of an open fireplace unless the tenant and landlord agree otherwise.

## Why stop draughts?

Draughts increase the likelihood of lower temperatures in houses. Draughts may also make it more expensive for a tenant to heat their home to a healthy temperature. Stopping draughts and blocking unused chimneys is an easy way to reduce expensive heating bills.

## When a gap or hole is unreasonable

To determine if a gap or hole is unreasonable and should be blocked, consider:

- the size and location of the gap or hole
- the extent of the draught that flows through the gap or hole
- if there is more than one gap or hole at the premises, and the extent of the total draught
- the impact of a draught on heat loss from the property.

Landlords can't use the age and condition of the property as a reason not to stop gaps or holes.

As a general rule, gaps or holes greater than 3 mm in width that let air into or out of the home should be blocked.

Generally, if a New Zealand \$2 coin can fit in the gap then the gap needs to be filled.

There are some situations where a gap may be smaller than 3 mm but can still create an unreasonable draught. This can depend on a range of factors that may vary, such as wind direction, wind speed and external temperature. This can also occur where lots of smaller gaps or holes combine to enable cross draughts that make a home harder to heat. These situations should be assessed on a case by case basis considering the individual features of the home.

**TIP**

**Check if a gap is causing a draught by feeling for cold air along the gap with the back of a wet hand.**

When determining the size of a gap or hole, landlords only need to measure the width that lets air into or out of the home. For example, tongue and groove flooring can have large gaps between boards on the surface. However, the actual gaps that go through the floor can be substantially smaller because of the tongue and groove connection blocking all or most of the gap.



Some gaps or holes are intentional and should not be blocked. These include:

- trickle vents (some modern windows have small vents to let fresh air trickle in)
- built-in openings for the drainage of condensation from window and door joinery
- wall vents which let small amounts of fresh air into rooms
- key holes
- ventilation devices including extractor fans
- gaps or holes needed for the safe operation of devices (eg chimneys or flues for heating devices or certain recessed downlights)
- openings in power sockets that enable a device to be plugged in
- vents or drainage openings in the outside cladding of external walls, roof, soffit/eaves or in the perimeter walls of a subfloor space.



Examples of gaps or holes that should be blocked include:

- poorly fitting windows or doors
- large gaps between the bottom of the door and the floor
- broken or loose hinges, catches or latches that prevent the door or window closing tightly
- broken or poorly fitted pet doors
- broken or cracked windows or doors.

### **Exemptions to the draught stopping standard**

There are no specific exemptions to the draught stopping standard. The general exemptions still apply, these are covered on page 18.

### **Fireplaces**

To prevent draughts, open fireplaces or their chimneys must be blocked. If a tenant doesn't want the fireplace blocked, they can make a written request to the landlord. If that landlord agrees, both the tenant and landlord should keep a copy of the written agreement.

# General exemptions

For each standard there are specific exemptions to that standard that apply. These exemptions are described alongside each standard in the previous pages.

There are also some general exemptions that exempt a rental property from complying with the healthy homes standards.

## **1. Demolishing or substantially rebuilding the rental property.**

This exemption applies if the landlord intends to demolish the property or substantially rebuild the property. The landlord must have applied for the relevant resource or building consent before the relevant healthy homes compliance date and the exemption will last for up to 12 months from this date. It may end earlier in certain circumstances, for example if the consent lapses or is terminated, or the application is refused.

If requested, the landlord will need to provide evidence that they have applied for the relevant resource consent or building consent for redevelopment work.

## **2. If the tenant is the immediate former owner of the rental property.**

This exemption applies if the tenant is the immediate former owner of the rental property and the tenancy started immediately after the landlord acquired the property from the tenant. In this situation, an exemption will apply for 12 months from the date the tenancy commences.





### **3. If a rental property is part of a building and the landlord does not own the entire building.**

This exemption applies, for example, if the landlord owns an apartment, but doesn't own the whole apartment building. In this situation, the landlord will be partially exempt from complying with parts of the standards if their ability to comply with the healthy homes standards is impeded because:

- they need to install or provide something in a part of the building where the landlord is not the sole owner, or
- they need access to a part of the building that they are not the sole owner.

Landlords must still take all reasonable steps to ensure the rental property or building complies with the healthy homes standards to the greatest extent reasonably practicable.

For the heating standard, this means if the required heating capacity is over 2.4 kW, a landlord must install at least one qualifying heater that has a heating capacity of at least 2 kW. A fixed electric heater with thermostat is an acceptable heater for this situation.

#### **Definition of 'reasonably practicable'**

It is not reasonably practicable to install something if a professional installer can't access the area without:

- carrying out substantial building work, or
- causing substantial damage to the property, or
- creating greater risks to a person's health and safety than is normally acceptable, or
- it is otherwise not reasonably practicable for a professional installer to carry out the work.

# Keeping records



From 1 July 2019, landlords must keep records of all documents that show how they are complying with the healthy homes standards.

Relevant documents could include:

- code compliance certificate
- records of calculations of a living room's required heating capacity, including a printout from the heating assessment tool
- certificate of acceptance
- receipts and invoices from builders or tradespeople
- receipts for any building materials and/or elements
- photographic evidence of compliance
- records of work from building practitioners or Independently Qualified Persons
- a professional evaluation performed by a Licenced Building Practitioner, Independent Qualified Person or any other relevant professional
- a Building Warrant of Fitness or Compliance Schedule, where the extractor fans are part of a larger ventilation system and the ventilation system is a specified system
- Land Information Memorandum (LIM) or Building information reports or parts of these reports that reasonably shows compliance
- product manuals/schedules for devices installed for the purpose of compliance with the standards
- any other documents/records that will reasonably show compliance.
- if complying with the heating standard through certain qualified specialists (pg 6), records will need to include details of the minimum required heating capacity for the main living room, as assessed using the criteria set out in regulation 10A. Also needed will be a description of why this specific regulation applies, the name and qualifications of the specialist, and details of how the required heating capacity was calculated. Landlords must also hold documentation to record compliance when the required heating has been installed.

These records must be able to be provided on request – for example, from the Tenancy Tribunal, or the Tenancy Compliance and Investigations team. Landlords are committing an unlawful act if they don't supply the records, and don't have a reasonable excuse, within 10 working days of the request.

# Tenancy agreements

As part of the healthy homes standards, there is additional information that landlords must include in new, varied or renewed tenancy agreements. This applies to both boarding houses and standard tenancies.

## From 1 July 2019

All new, varied or renewed tenancy agreements must include a signed statement that the landlord will comply or does already comply with the healthy homes standards as required by the Residential Tenancies Act 1986. An example of a correctly worded statement is available at [tenancy.govt.nz](https://www.tenancy.govt.nz).

## From 1 July 2021

In addition to the 1 July 2019 statement, all new or renewed tenancy agreements must include specific information about the landlord's current level of compliance with the healthy homes standards.

This information, if it exists, must cover the points outlined in the table on page 22. If the information doesn't yet exist, as it's before the healthy homes compliance date for the property, the landlord can state that compliance isn't required until the healthy homes compliance date.



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<b>Standard</b>	<b>Required information for the healthy homes statement</b>
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|---------|--|
| Heating | <ul style="list-style-type: none"><li>• The required heating capacity for the main living room.</li><li>• If applicable, confirmation the rental property is considered a modern dwelling or relevant apartment with a brief description of why the new heating formula applies. See ‘2022 heating standard updates’ on page 5.</li><li>• The type(s) of qualifying heater(s) in the main living room and their heating capacity (in kilowatts).</li><li>• Specific information if complying with geothermal heating or through certain qualified specialists.</li><li>• If a landlord relies on the tolerance or ‘top-up’ allowance for existing heaters, they will need to state this, with a brief description of why it applies.</li></ul> |
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|------------|--|
| Insulation | <ul style="list-style-type: none"><li>• The type, location and condition of all insulation in the walls, ceiling and underfloor. Note: this has been a requirement in new tenancy agreements since 1 July 2016.</li><li>• For each ceiling insulated, either<ol style="list-style-type: none"><li>i. the insulation’s R-value and, if known, the date it was installed and when it was last inspected, or</li><li>ii. the thickness of the insulation and, if known, the date when it was last inspected.</li></ol></li><li>• For each underfloor space the insulation’s R-value and, if known, the date it was installed and when it was last inspected.</li><li>• For each ceiling and suspended floor that isn’t insulated, the reason why not.</li></ul> |
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| Ventilation | <ul style="list-style-type: none"><li>• A statement that each habitable space in the premises has one or more openable windows or doors (that meet the requirements detailed in the ventilation section on page 11).</li><li>• For any kitchen and bathroom a brief description, including the exhaust capacity, of how the mechanical ventilation meets the definition of qualifying ventilation under the regulations (see pages 11 and 12 for details).</li></ul> |
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A template for this statement is available on the [tenancy.govt.nz](https://www.tenancy.govt.nz) website. Failure to include this information or including information that is misleading or false will be an unlawful act. Landlords that don’t comply could face a financial penalty of up to \$500.

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Moisture ingress and drainage

- A statement that the rental property has an efficient drainage system.
- Either, that the property does not have any enclosed subfloor spaces or that each enclosed subfloor space has a ground moisture barrier.

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Draught stopping

- A statement that any open fireplace is either closed off, the chimney is blocked or that it isn't blocked off at the tenant's written request.
- A statement that the property is free from unreasonable gaps that allow draughts into the premises.

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Exemptions

- If one of the general exemptions applies, the landlord must make a statement explaining the exemption and briefly describe the circumstances that led to the exemption.
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# Compliance timeframes

Private landlords must meet the standards within certain timeframes from the start of any new, or renewed tenancy from 1 July 2021. All tenancies must meet the standard by 1 July 2025. The timeline below outlines all the important dates for the introduction of the healthy homes standards.

**1 July 2019**

Ceiling and underfloor insulation is compulsory in all rental properties where it is reasonably practicable to install. All new, varied or renewed tenancy agreements must include a signed statement that the landlord will comply with the healthy homes standards as required by the Residential Tenancies Act 1986. This statement can be combined with the insulation statement that covers what insulation a property has, where it is, what type and what condition. This statement has been required in all new tenancy agreements since 1 July 2016.<sup>6</sup> Landlords must keep relevant documents as evidence of compliance with the healthy homes standards.

**1 December 2020**

All new or renewed tenancy agreements must include specific information about the property's current level of compliance with the healthy homes standards. This isn't required if the tenancy is a fixed term that ends before the healthy homes compliance date for the tenancy. Details on the information required is covered in the 'tenancy agreements' section on pages 21 and 22.

**1 July 2021**

Between 1 July 2021 and 1 July 2025, all private rentals must comply with the healthy homes standards within certain timeframes depending on when the new tenancy starts or is renewed. Use the compliance timeframes decision tool<sup>7</sup> to find out when your rental property needs to comply. All boarding houses except Kāinga Ora (formerly Housing New Zealand) and registered Community Housing Provider houses have complied with the healthy homes standards.

**1 July 2024**

All houses rented out by Kāinga Ora (formerly Housing New Zealand) and Community Housing Providers must comply with the healthy homes standards.

**1 July 2025**

All rental homes must comply with the healthy homes standards.

<sup>6</sup> See [tenancy.govt.nz/starting-a-tenancy/tenancy-agreements/required-statements-for-tenancy-agreements](https://www.tenancy.govt.nz/starting-a-tenancy/tenancy-agreements/required-statements-for-tenancy-agreements) for a complete explanation of statements that must accompany tenancy agreements.

<sup>7</sup> [tenancy.govt.nz/healthy-homes/healthy-homes-compliance-timeframes/compliance-timeframes-decision-tool/](https://www.tenancy.govt.nz/healthy-homes/healthy-homes-compliance-timeframes/compliance-timeframes-decision-tool/)



For properties that qualify for the new 2022 heating formula (pg 5), the compliance date for the heating standard becomes 12 February, 2023 (nine months after the new regulations took effect) if all of the following apply:

- It is a private tenancy (ie. not a public housing or boarding house tenancy).
- The new heating formula is applicable to the rental property and the landlord chooses to use it to calculate the minimum required heating capacity.
- The end of the compliance timeframe is on or after 12 May 2022 and before 12 February 2023.

Landlords of these properties must continue to comply with the other healthy homes standards within certain timeframes of any new, or renewed, tenancy. Use the compliance timeframes decision tool<sup>8</sup> to find out when your rental property needs to comply.

Landlords will have the lawful right to access their rental properties to undertake work to comply, or prepare to comply, with the healthy homes standards. They must give 24 hours' written notice to the tenants before entering. Hours of entry are between 8am and 7pm (or 8am and 6pm for boarding houses).

Remember that all tenants have the right to the quiet enjoyment of the property, so it's best to keep in touch and clearly set expectations with each other.

## If landlords don't comply

Landlords that don't comply with the healthy homes standards may face exemplary damages through the Tenancy Tribunal.

The amount awarded by the Tribunal is dependent on the landlord's intention, the effect of the non-compliance on the tenant, the interest of both parties as well as the public interest.

## Healthy homes standards and the Building Code

All building work must be compliant with the Building Code – this is a requirement under Section 17 of the Building Act. There may be instances where building consents are required under the Building Act. It is best to discuss this with your local Council or tradesperson.

## Working with professionals

Depending on the work required at a rental property, landlords can choose to carry out some work themselves. For example, landlords can install a ground moisture barrier by following the steps in NZS 4246:2016 (available on [shop.standards.govt.nz/catalog/4246%3A2016%28NZS%29/view](https://shop.standards.govt.nz/catalog/4246%3A2016%28NZS%29/view)).

Some work does require a qualified professional. Any gasfitting, drainlaying, plumbing, electrical or restricted building work needs to be done by an appropriately qualified and licensed professional. Depending on the work, this could be a licensed building practitioner, licensed electrical worker or licensed gas worker.

<sup>8</sup> [tenancy.govt.nz/healthy-homes/healthy-homes-compliance-timeframes/compliance-timeframes-decision-tool/](https://tenancy.govt.nz/healthy-homes/healthy-homes-compliance-timeframes/compliance-timeframes-decision-tool/)

For example, installing new extractor fans must be done by a licensed electrical worker.

If a landlord is unsure about any work, or whether an exemption may apply, we recommend contacting an appropriate professional. For the purposes of any exemptions, a ‘professional installer’ must be someone experienced in performing the installation work in question.

See the guidance document for each standard to learn more about finding qualified professionals (available at [tenancy.govt.nz/healthy-homes](https://tenancy.govt.nz/healthy-homes)).

## Where to get help

The Tenancy Services website ([tenancy.govt.nz/healthy-homes](https://tenancy.govt.nz/healthy-homes)) has more information on meeting the healthy homes standards, including a technical guidance document for each standard.

You can hire a professional to provide advice or an assessment of your rental property to ensure it meets the healthy homes standards. Getting this advice is voluntary but is an effective way to make sure your rental property is compliant. See the previous section for more information on working with professionals.

Some landlords may be able to install draught stopping, insulation, a ground moisture barrier or ducting for extractor fans themselves, but it is important to take appropriate safety precautions.

Use safety equipment when necessary and don’t go into spaces where there are known health and safety hazards, such as asbestos dust or poorly installed electrical wires.

As outlined in the previous section, landlords must call a licensed building practitioner, licensed electrical worker or licensed gas worker for restricted building, plumbing, drainage, gasfitting or electrical work.

All work must be done to a standard that meets the healthy homes standards and other relevant regulations.



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## Tenancy Services

For further information on  
the healthy homes standards,  
or renting in New Zealand,  
visit [tenancy.govt.nz](https://tenancy.govt.nz).

Raise the  
standard

For tips on how to comply  
and keep your rental healthy,  
visit [raisethestandard.nz](https://raisethestandard.nz)



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