

# Tenancy Services

## Information and resources for new landlords

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- › Before you rent your property
- › The role of Tenancy Services



[tenancy.govt.nz](https://tenancy.govt.nz)



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# About this guide

If you're preparing to rent out your property, it's important to understand your rights and responsibilities under tenancy law.

This information pack is an introductory guide for new landlords. It includes an overview of your responsibilities and will direct you to further information and resources you will need.

## ■ Need more information?

 Look for this icon to direct you to more information, templates, factsheets and forms.

## Included in this pack

- › Your responsibilities as a landlord
- › Before you rent your property
- › Where to get help
- › The role of Tenancy Services



If you're downloading this information pack from the **tenancy.govt.nz website**, please also download the following documents. If you have received a printed version, these documents will be included.

- › **Renting and You guide for landlords and tenants**
- › **Pre-tenancy application form**
- › **Residential Tenancy Agreement template**
- › **Bond lodgement form**
- › **Additional tenants bond lodgement form**
- › **Healthy homes standards factsheet**
- › **Residential Tenancies Amendment Act 2020 – summary of changes**



# Your responsibilities as a landlord

Landlords need to be competent and professional when managing their rental properties. It's important to know what you are doing, as you are providing a service to the people who pay to live in your rental property (the tenants).

Landlords have obligations under the Residential Tenancies Act 1986. Recent law changes mean there are now higher penalties if landlords don't comply with their obligations. Before you rent out your property, you should understand what is required of you.

Some of your responsibilities as a landlord include:

- › providing and maintaining the rental property in a reasonable state of repair and cleanliness.
- › complying with all building, health and safety requirements that apply, including the Building Act 2004, Health Act 1956 and any bylaws set under the Local Government Act 2002.
- › signing a tenancy agreement that meets all the requirements of the law, and giving the tenant a copy before the tenancy starts



Our Residential Tenancy Agreement template meets all minimum requirements. If you haven't already got one, download a copy from [tenancy.govt.nz/tenancy-agreements](https://tenancy.govt.nz/tenancy-agreements).

- › lodging the bond (if you take a bond) with Tenancy Services within 23 working days of receiving it



If you don't have a copy of the bond lodgement form, you can download one from [tenancy.govt.nz/bond](https://tenancy.govt.nz/bond) or simply lodge your bond online.

- › meeting your responsibilities for inspections, maintenance and repairs
- › allowing the tenant quiet enjoyment of the property
- › informing the tenant if your contact details change, or if the property goes up for sale
- › meeting the requirements of the healthy homes standards by the relevant compliance date
- › keeping comprehensive and accurate records relating to the rental property, including rent records and healthy homes compliance records



You can download a rent summary template from our website [tenancy.govt.nz/receipts-and-records](https://tenancy.govt.nz/receipts-and-records).

- › following the correct process for dealing with overdue rent



Our website has information and templates to help you if your tenants are behind with the rent [tenancy.govt.nz/overdue-rent](https://tenancy.govt.nz/overdue-rent).

- › giving the correct notice and meeting the legal requirements for ending the tenancy
- › keeping up-to-date with tenancy law changes.



Read the Renting and You guide to understand the basics of tenancy law. The guide also includes a glossary to explain common tenancy terms. If you don't have a copy, download one from [tenancy.govt.nz](https://tenancy.govt.nz).

## Healthy homes standards

The healthy homes standards set minimum requirements for heating, insulation, ventilation, moisture ingress and drainage, and draught stopping in rental properties.

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 to find out when your rental property needs to comply ([tenancy.govt.nz/healthy-homes/healthy-homes-compliance-timeframes](https://tenancy.govt.nz/healthy-homes/healthy-homes-compliance-timeframes)). All private rentals must comply by 1 July 2025.

All boarding houses must have complied by 1 July 2021. All houses rented by Kāinga Ora (formerly Housing New Zealand) and registered Community Housing Providers must comply by 1 July 2024.

There are some things landlords need to do now:

- › keep records of all documents that show how the property complies with the healthy homes standards
- › landlords must include healthy homes information as an additional statement in all new tenancy agreements.



The healthy homes standards factsheet included in this pack outlines each standard. For more detailed information on what you need to do to comply visit [tenancy.govt.nz/healthy-homes](https://tenancy.govt.nz/healthy-homes).

# Before you rent your property

Before tenants start moving in, take the time to make sure you have everything ready and that you understand everything that you need to do. Use this checklist as a guide to prepare your property for tenants:

- ✔ Make sure the property is lawful for residential use
- ✔ Complete any maintenance or repairs needed
- ✔ Check that the property has ceiling and underfloor insulation that meets the standard for rental properties
- ✔ Talk to your insurance company about landlord insurance for your rental property. Your insurance company may also have specific requirements around things like inspections. ([tenancy.govt.nz/insurance](https://tenancy.govt.nz/insurance))
- ✔ Make sure you understand the healthy homes standards, any work your property may need, and when you need to comply ([tenancy.govt.nz/healthy-homes](https://tenancy.govt.nz/healthy-homes))
- ✔ Establish the market rent for your property. You can use the tool on our website as a starting point ([tenancy.govt.nz/market-rent](https://tenancy.govt.nz/market-rent))
- ✔ Consider joining a local property investors association for example, ([nzpif.org.nz](https://nzpif.org.nz))
- ✔ Subscribe to the Tenancy Matters newsletter to stay up to date with tenancy news and law changes. ([tenancy.govt.nz/#subscribe](https://tenancy.govt.nz/#subscribe)). You can also follow us on Facebook at [facebook.com/tenancynz](https://facebook.com/tenancynz)
- ✔ Decide whether or not you will manage the property yourself or hire a professional property manager. ([tenancy.govt.nz/selecting-a-property-manager](https://tenancy.govt.nz/selecting-a-property-manager))

## If you are managing the property yourself:

- ✔ Make sure you understand all rights and responsibilities under the Residential Tenancies Act 1986
- ✔ Complete the landlord compliance checklist to make sure you're meeting all your obligations. See the next section for more information on this
- ✔ Make sure you understand your privacy responsibilities by reading the Privacy Act 2020 guidance for landlords and tenants on the Office of the Privacy Commissioner's website<sup>1</sup>
- ✔ Write your rental advertisement, making sure you state the amount of rent (you can't invite or encourage rental bidding)
- ✔ Open a separate bank account for the rent
- ✔ Sign up with a credit check company and make sure you meet your Privacy Act 2020 requirements when requesting a credit report
- ✔ Make sure you have copies of the documents you will need (the pre-tenancy application form, Residential Tenancy Agreement and bond lodgement form are included in this pack)

<sup>1</sup> [www.privacy.org.nz/news-and-publications/guidance-resources/privacy-act-guidance-for-landlords-and-tenants/](https://www.privacy.org.nz/news-and-publications/guidance-resources/privacy-act-guidance-for-landlords-and-tenants/)

## Complying with the law

As a landlord, it's important you comply with all legal requirements. As well as the Residential Tenancies Act 1986 (the Act), this includes requirements around building, health and safety. There have been a number of changes to tenancy law in recent years and it's important to keep up to date with these. Major recent changes that landlords need to be aware of are outlined below.


Landlords that don't meet their obligations under the Residential Tenancies Act 1986 could be liable for financial penalties.

### Changes to the Residential Tenancies Act 1986

From August 2020, there are a number of changes to the Act that will impact both landlords and tenants.

The changes happen at three key dates:

1. 12 August 2020
2. 11 February 2021
3. 11 August 2021


 A factsheet outlining these changes is included in this pack. For more detailed information, visit [tenancy.govt.nz/law-changes](https://tenancy.govt.nz/law-changes).


### Landlord compliance checklist

Our landlord compliance checklist can help you make sure you're meeting all the minimum requirements under the Act.

The checklist is easy to follow, with three simple steps:

1. Create a full property list
2. Create a list of tenancies to assess
3. Complete an assessment for each tenancy


 Note: if you are the landlord of a boarding house, you also have other responsibilities. Find out more about boarding houses at [tenancy.govt.nz/boarding-houses](https://tenancy.govt.nz/boarding-houses).

 If you don't have a copy of the current landlord compliance checklist, you can get one from [tenancy.govt.nz/landlord-compliance-checklist](https://tenancy.govt.nz/landlord-compliance-checklist).


## Where to get help

### Tenancy Services


For more detailed information on your rights and responsibilities as a landlord, visit [tenancy.govt.nz](https://tenancy.govt.nz). This website explains the requirements of the Act in plain English. You can also lodge bonds online, check your requirements for the healthy homes standards (including how to assess heating requirements) and apply to the Tenancy Tribunal or for mediation.

 To keep up to date with changes to tenancy laws, sign up to our e-newsletter: [tenancy.govt.nz/#subscribe](https://tenancy.govt.nz/#subscribe).

### Information in other languages


 Our Renting and You guide is also available in a range of other languages. Translated versions are available at [tenancy.govt.nz](https://tenancy.govt.nz).

### Legislation website

 You can read the full Residential Tenancies Act 1986 (and any other Acts) on the government legislation website ([legislation.govt.nz](https://legislation.govt.nz)).

### New Zealand Property Investors' Federation

The New Zealand Property Investors' Federation is the umbrella body for 18 local Property Investor Associations. You may wish to join your local group to connect with other landlords in your area.


 You can get in touch with your local Property Investor Association through the NZPIF website: [nzpif.org.nz](https://nzpif.org.nz).

### Property managers

If you don't feel confident to manage your rental property yourself, you can hire a property manager. Property managers will generally:

- › receive rent on your behalf
- › find suitable tenants
- › handle maintenance
- › deal with disputes
- › manage any issues at the end of a tenancy.

Just as you would if you were hiring an accountant or lawyer, take the time to make sure you're hiring someone experienced and with a good reputation.

 There's more guidance on selecting a property manager on our website: [tenancy.govt.nz/selecting-a-property-manager/](https://tenancy.govt.nz/selecting-a-property-manager/).

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# The role of Tenancy Services

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Tenancy Services is part of the Ministry of Business, Innovation and Employment. Our role is to:

- › provide information and resources to help tenants and landlords understand their rights and responsibilities
- › provide services for resolving disputes, including mediation and coordinating with the Tenancy Tribunal to schedule hearings
- › receive and hold bond money in trust - all bonds must be lodged with us, unless the bond in a boarding house tenancy is one week's rent or less
- › monitor and enforce compliance with the Residential Tenancies Act 1986 (the Act) and associated regulations.

## The role of other organisations

### Ministry of Housing and Urban Development

The Ministry of Housing and Urban Development leads New Zealand's housing programme. This includes work to modernise rental laws and rental standards, and to increase housing supply. One of its responsibilities is developing proposed law changes. After changes become part of the Act it becomes Tenancy Services' job to inform, educate and support compliance.

[hud.govt.nz](http://hud.govt.nz)

### Ministry of Justice

Tenancy Services works with the Ministry of Justice to schedule Tenancy Tribunal hearings. Tenants and landlords apply for mediation or a Tenancy Tribunal hearing through Tenancy Services. If your dispute is scheduled for a hearing, the application will be transferred to the Ministry of Justice before the hearing takes place.

[justice.govt.nz](http://justice.govt.nz)



There's more information on resolving disputes and the role of the Tenancy Tribunal on our website: [tenancy.govt.nz](http://tenancy.govt.nz).

### Work and Income New Zealand

Work and Income New Zealand (WINZ) provides financial assistance to people with low income or who are not working. Tenants who are eligible for this assistance may have some of their rental payments made directly to the landlord. The available assistance includes help with housing costs, including bond grants and rent in advance payments.

[winz.govt.nz](http://winz.govt.nz)

