

# Tenancy Services

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# Tenants

## Know your rights!

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Visit our website: [tenancy.govt.nz](http://tenancy.govt.nz)



MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT  
HĀKINA WHAKATUTUKI

Te Kāwanatanga o Aotearoa  
New Zealand Government

# Tenant or Flatmate?

## ■ Tenant

You're a tenant if you have an agreement with the landlord, verbal or written, to live in the property.

You cannot be asked to leave by another tenant or your flatmates. Only the landlord can give you notice to leave.

Anyone who moves into a flat and signs the tenancy agreement, along with any other tenants, has shared responsibility for the whole tenancy.

If one of the tenants causes damage to the property or gets behind in paying rent, all of the other tenants can be held responsible to pay the debt if the offending tenant does not.



## ■ Flatmate

You're a flatmate if you live in the property and are not a party to the tenancy agreement with the landlord.

Flatmates are not covered by the Residential Tenancies Act, as the Act only covers tenants and landlords. As a flatmate your rights depend on the agreement you have with the tenant.

An example of a flat-sharing agreement is available on our website [tenancy.govt.nz/flat-housing-agreement](https://www.tenancy.govt.nz/flat-housing-agreement)

## The landlord must:

- › Make sure the property is in a reasonable state of cleanliness before you start the tenancy.
- › Maintain the property and do any necessary repairs.
- › Comply with all smoke alarm, insulation and healthy homes standards requirements.
- › Provide written notice at least 60 days before they put the rent up (if it is at least 12 months since the last rent increase).
- › Give lawful notice to enter the house.
- › Lodge bond money within 23 working days.
- › Comply with all building, health and safety requirements.





## 13 tips for tenants

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1. Know your rights and responsibilities and where to find information: **tenancy.govt.nz**.
2. Get a written tenancy agreement.
3. Inspect the property and complete a property condition report that is dated, and signed by both parties, before signing a tenancy agreement.
4. Keep all records relating to your tenancy.
5. Get a receipt for any rent paid by cash or for any bond you pay to the landlord.
6. Pay your rent on time.
7. Keep the property reasonably clean and tidy.
8. Tell the landlord if something needs fixing.
9. Do not intentionally or carelessly damage the property.
10. Give 28 days' notice to end a periodic tenancy.
11. A fixed term tenancy cannot be ended early by notice.
12. If you are subjected to family violence during a tenancy, you can withdraw by giving at least two days' notice (and qualifying evidence).
13. Letting fees and key money can't be charged to tenants.