

Landlords - have you ever thought of yourself as a criminal?

“Landlords, do you realise that under the proposed changes outlined in the Residential Tenancy Amendment Bill, currently before the Social Services and Community Select Committee, you now have a much higher chance of being charged with criminal offences regarding your rental property?” asks Sharon Cullwick, Executive Officer of the NZ Property Investors’ Federation (NZPIF)

Cullwick points out that along with the removal of the 90-day no cause evictions, another major concern for landlords is the high number of unlawful acts which have been included in the Amendment Bill. Prior to the current Coalition Government, the Residential Tenancy Act listed 24 unlawful acts against landlords. However new proposals in the Bill have dramatically increased this to 60 Unlawful Acts, and 24 Criminal Offences and Pecuniary Penalties (up to \$50,000) whereas only 17 are listed against tenants. Also, the powers of the Tenancy Services Compliance and Investigations Team will be increased. This Team will now have Improvement Notices and Enforcement undertakings included in their jurisdiction.

For example, something as minor as failing to supply the tenant with a change of your address could result in a \$750 fine. Something as simple as not replying to a tenant in a ‘reasonable timeframe’ regarding any minor changes they would like to make to the property could result in a \$1,500 penalty.

On the NZ Parliament website under a section on the Residential Tenancies Bill it says that the Bill aims to balance the rights and obligations of tenants and landlords.

As a rental property provider, if you feel that this balance is not being achieved and you are concerned about this increased level of penalties to which you will now be exposed, even though you have the best of intentions of providing a satisfactory home for your tenants, you are encouraged to make a submission to the Social Services and Community Committee before the 25th March 2020. Details for this can be found on our website www.nzpif.org.nz.

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