

## Fact sheet: Disruptive behaviour

### How do you deal with serious disruptive behaviour?

- Our job is to provide tenants with a stable home for as long as they need it. In return, we expect them to be good tenants and neighbours.
- On 1 July 2024 we implemented a new approach to managing tenancies and strengthened our response to disruptive behaviour.
- Our approach is about being fair, but firm. When disruptive behaviour occurs, we work to understand what's driving behaviour and refer tenants to specialist social and health services to address underlying issues if needed. Alongside this, we are also making earlier and more frequent use of the tools available under the Residential Tenancies Act (RTA) to drive behaviour change and provide a clear deterrent for disruptive behaviour.
- If behaviour does not change, we will end tenancies when we need to and not offer the tenant another home.
- Our approach is designed to provide a clear deterrent for disruptive behaviour and encourage behaviour change through making effective use of the tools available to us under the RTA.

### What RTA tools do you use:

- We can make it clear to tenants that their behaviour is unacceptable, and their tenancy is at risk by issuing a **Section 55A** notice under the RTA. If a tenant receives three Section 55A notices within a 90-day period, then we can and will apply to the Tenancy Tribunal to end their tenancy.
- There are specific requirements in the RTA that must be met in order to issue a notice. This includes ensuring there is evidence of the disruptive behaviour and that the behaviour can be clearly linked to either the tenant or someone at the home with their permission.
- In limited situations that are severe, persistent or threatening, or where a tenant's behaviour significantly breaches their tenancy agreement, we can and will apply to the Tenancy Tribunal to end a tenancy under **section 55** or **Section 56** of the RTA and not provide the tenant with another Kāinga Ora home.
- [Data on our use of the RTA tools](#) is published regularly on our website.

### What is the difference between ending a tenancy and eviction?

- Eviction is a specific process involving the Tenancy Tribunal and District Court which only happens if a person refuses to leave the property after their tenancy has ended.
- In almost all situations, Kāinga Ora can resolve a situation without needing to resort to eviction.