

13 December 2021

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Thank you for your email of 19 November 2021 to Andrew McKenzie, Chief Executive of Kāinga Ora – Homes and Communities, requesting information under the Official Information Act 1982 (OIA). I have considered your request under the OIA, and respond to your questions below.

1 - you mentioned that the people causing these problems met the criteria of being in most need. What is that criteria?

2 - What part if any, does ethnicity play in the criteria? IE - does being a particular ethnicity either improve or lessen your eligibility criteria.

The Ministry of Social Development (MSD) determine a person's eligibility for public housing. MSD are responsible for assessing housing need and managing the public housing waitlist, while the role of Kāinga Ora is to successfully house the people referred to us through MSD. For information on the criteria used by MSD to assess housing need, I refer you to <https://www.workandincome.govt.nz/housing/find-a-house/who-can-get-public-housing.html>.

Ethnicity is not one of the criteria for assessing eligibility.

3 - Does Kainga Ora have any plans to compensate people who have been adversely affected by disruptive anti-social tenants? If not, why not?

Kāinga Ora takes a principled approach to resolving any disputes it has with individuals. Kāinga Ora may choose, at its sole discretion, to make a compensation payment to an individual in the settlement of a dispute and we will assess this on a case-by-case basis.

4 - Has the Government given Kainga Ora a directive to not evict troublesome tenants? If so, please provide evidence of that directive.

Kāinga Ora has not received such a directive from the Government, and Kāinga Ora does not have a ban on ending tenancies. However, while Kāinga Ora is not prevented from carrying out evictions, eviction has always been a rare occurrence in Kāinga Ora homes. Eviction is a very specific process that involves the Tenancy Tribunal ending a tenancy and a court bailiff taking possession of the property. In the majority of cases where Kāinga Ora ends a tenancy, the tenant vacates voluntarily, and eviction is not required.

Since late 2017 Kāinga Ora has moved to an approach with a focus on sustaining tenancies. Ending tenancies and if necessary eviction, is a last resort.

Kāinga Ora uses a sustaining tenancies approach in acknowledgment of the broader social cost at play when ending a tenancy results in vulnerable customers exiting with nowhere else to go. While Kāinga Ora has the legal right to end a tenancy, this is not a step it takes lightly because it can result

in worse long-term outcomes for the tenant, their families, and those around them. This may include moving away from support networks of friends and whānau, and uprooting children from education.

I was concerned to learn that you have been negatively impacted by behaviour from a neighbouring Kāinga Ora tenancy. To provide context, Kāinga Ora manages about 68,000 homes providing accommodation to 200,000 people. Nearly half of these people are children. The vast majority of Kāinga Ora tenants are good neighbours and members of their communities.

In a small minority of cases disruptive behaviour causes highly stressful and unacceptable conditions for neighbours, and we do not expect people to put up with intolerable situations.

When problems arise we seek positive outcomes for both the people we house and their communities. Inevitably this can involve a balancing act. No one wants to see homelessness, particularly where it affects children. But neither can people be expected to put up with intolerable situations.

Where there is illegal behaviour we support the involvement of police. In other cases we work with people and whānau, often alongside specialist agencies, to address what can be complex social needs.

Kāinga Ora is investing in responding faster and more effectively and has recently made changes to improve our ability to support behaviour change where needed. These improvements include using new provisions in the Residential Tenancy Act to move people faster and more easily, increasing our frontline teams to provide a greater level of support, and expanding our case review group to escalate and respond to problems faster.

We will move people if necessary, but any relocation has to take into account the implications for the person and their family, especially any children living in the home. In the last 12 months, Kainga Ora has worked to relocate 159 households whose disruptive behaviour was a concern.

Please note that Kāinga Ora proactively releases our responses to official information requests where possible. Our response to your request may be published at <https://kaingaora.govt.nz/publications/official-information-requests/> with your personal information removed.

Yours sincerely



Rachel Kelly
Manager Government Relations