

# TE KAUPAPA HERE MŌ TE WHARE PĀKEKE

## PENSIONER HOUSING POLICY

<b>CATEGORY:</b>	Community Assets and Services	<b>STATUS:</b>	FINAL
<b>DATE POLICY ADOPTED:</b>	5 February 2019	<b>APPROVAL BY:</b>	Council
<b>REVIEW PERIOD:</b>	3 years	<b>NEXT REVIEW DUE BY:</b>	2022
<b>DATE PREVIOUSLY ADOPTED:</b>	10 August 2010	<b>REVISION NUMBER:</b>	1

### PURPOSE

The purpose of this policy is to provide clear guidelines on Council's practice in regard to the provision, management and tenancy of pensioner housing.

### BACKGROUND

Wairoa District Council has a long standing commitment to providing housing for the elderly residents who have limited incomes. Rents are set so there is no impact on rates and are assessed at market rental. Rents are reviewed annually by way of a registered valuation.

Council currently manages and maintains 32 residential units on six sites located in the Wairoa Township<sup>1</sup>. The units are self-contained (attached and detached) and are surrounded by other units in the various complexes. They provide for privacy and independence, while also providing a community atmosphere. Regular inspections are conducted by staff to ensure all necessary upgrades are carried out in accordance with a planned maintenance schedule.

### PRINCIPLES

The principles underlying this policy are that:

- There is a genuine and growing need for long-term affordable accommodation for the elderly and Wairoa District Council has a role in meeting this need.
- The Council's pensioner housing units shall continue to be available for rental at below private market rentals.
- the facilities are self-funding without rates input.
- Any monies generated within the activity in excess of operational needs (including the proceeds of any divestment) will remain in the activity and be utilised as considered appropriate for the maintenance, management, renewal and extension of the pensioner housing activity.

### DEFINITIONS

"Current Market Rental" is the level of rental the houses would attract if exposed to the open market, as determined by a registered valuer.

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<sup>1</sup> Wairoa District Council LTCCP 2009- 2019 – Pensioner Housing Activity Management Plan

"Elderly" are those people aged 65 or over, but may include younger persons 55 years and older if they have a medical condition, and they are on an age related benefit or similar<sup>2</sup>.

"Pensioner Housing" refers to residential accommodation for a person or persons of an age that is eligible for the national pension.

## ELIGIBILITY FOR TENANCY

### 1. APPLICANTS

a) The prospective applicant for tenancy of a pensioner unit shall be determined by application and assessed in accordance with eligibility criteria.

b) All applicants must be a New Zealand citizen or be permitted to reside here in New Zealand, have an urgent need for accommodation due to their current circumstances and have family living within the Wairoa District that can support their tenancy.

c) Council will use a priority based eligibility scale to determine suitability of prospective tenants.

### 2. PRIORITY ONE ELIGIBILITY CRITERIA

a) In order to be given this priority the applicant must satisfy all of the following criteria:

i) Must be 65 years of age or older (being the age eligible for a pension in New Zealand) and be retired from full time work; **and**

ii) The applicant's primary source of income is from a permanent New Zealand/Overseas age related benefit:

- National Superannuation
- War Disablement Pension
- New Zealand Veterans Pension **and**

iii) The combined value of the applicant's assets (excluding car, furniture and personal household effects) must not exceed the figures below:

- Single person \$20,000
- Couple \$30,000 **and**

iv) Assets may include cash in the bank, shares, trusts, investments or any other property of value (but excluding car, furniture and personal households effects);

**and**

v) In the case of a couple, both partners must meet all of the eligibility criteria.

And

vi) They are self-reliant or have the necessary support in place to live independently.

b) Applicants who do not satisfy the Priority One criteria on the grounds of age (younger than 65 years) or main source of income (a non-age related benefit) may qualify for a place in a pensioner unit if they satisfy the Priority two criteria.

### 3. PRIORITY TWO ELIGIBILITY CRITERIA

a) In order to be given this priority the applicant must satisfy all of the following criteria:

i) Must be 55 years of age or older and be retired from full time work. **and**

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<sup>2</sup> Definitions for older person or elderly fall into three main categories: 1) chronology; 2) change in social role (i.e. change in work patterns, adult status of children and menopause); and 3) change in capabilities (i.e. invalid status, senility and change in physical characteristics).

ii) The applicant's primary source of income is from a permanent New Zealand/Overseas benefit other than an age related benefit, including

- Sickness Benefit
- Invalids Benefit
- ACC Payment **and**

iii) The combined value of the applicant's assets (excluding car, furniture and personal household effects) must not exceed the figures below:

- Single person \$20,000
- Couple \$30,000 **and**

iv) Assets may include cash in the bank, shares, trusts, investments or any other property of value (but excluding car, furniture and personal households effects)

**and**

v) In the case of a couple, both partners must meet all the eligibility criteria.

And

vi) They are self-reliant or have the necessary support in place to live independently.

## 4. INDIVIDUAL MERITS

a) Applicants who do not satisfy any of Priority One or Priority Two criteria may still be considered individually on the merits of their application.

b) The acceptance (or otherwise) of applications remains at the full discretion of the Council. Wairoa District Council reserves the right to decline any application that does not meet the criteria.

c) All of the pensioner units are designed for independent living. Priority One applicants may require a recent medical certificate relating to applicant's health and their ability to care for themselves independently.

## 5. CHANGES TO ELIGIBILITY DURING TENANCY

A tenant's eligibility to occupy a pensioner unit will be re-assessed if there are reasonable grounds to indicate a change in eligibility status.

Where it is suspected that there are existing or impending eligibility issues for medical, physical or mental health reasons; the Council will in the first instance seek to facilitate the provision of the appropriate social service support.

Following consultation with the appropriate social service, if the tenant is clearly unable to meet the eligibility on an on-going basis, the Council will consider giving the tenant the required notice to vacate.

All tenants will be required to sign a new eligibility form every two years.

## WAITING LISTS

The Council will maintain a waiting list of prospective tenants which will be regularly reviewed and updated. If a waiting list does not exist, the Council will market and promote its pensioner housing to ensure maximum occupancy.

### 1. ADMINISTRATION OF WAITING LISTS

a) Where the number of eligible applicants exceeds the number of units available, a waiting list will be maintained by Council and shall be kept at the Council offices.

b) The list shall be kept up to date, and those on the list will be contacted at regular intervals, or as required, so as to verify that all applicants still wish to remain on the list and also update their applications if the situation has changed.

# RENTS, RENT COLLECTION AND RENT ARREARS

## 1. RENTS

Rentals are to be set at 80% of the market rate or at 30 per cent of the gross amount of National Superannuation (after adjustment for the assessed level of the Work and Income accommodation supplement), whichever is the lesser of the two, with rent changes taking effect on 1 July annually. Pensioner housing will continue to be self-funding without rates input.

Rent increases will be limited to a maximum of \$30-00 per week each year.

Rent reviews need to be initiated as part of the annual financial planning process and provided they fall within policy, will take effect from 1 July with an advisory note to Council before any communication with tenants;

## 2. RENT COLLECTION

- a) Tenants are required to pay four weeks' rent in advance on being accepted for a pensioner unit.
- b) Rent shall be paid by the tenant, or on behalf of the tenant, fortnightly in advance by way of automatic payment.
- c) Council will record all rent payments, which will be credited against the Tenant's rent account.

## 3. ARREARS MANAGEMENT

- a) All arrears are governed by the Residential Tenancies Act 1986.
- b) All rent arrears will be brought to the attention of the tenant in writing.
- c) Where rent arrears are outstanding for a period of 2 weeks, Council will arrange recovery of rent arrears by means of direct deductions from the tenant's WINZ payments.
- d) Where rent arrears remain outstanding and/or ongoing in excess of 3 months, Council will refer the matter to the Tenancy Tribunal for resolution in accordance with the Residential Tenancies Act.

# MAINTAINING AND UPGRADING PROCEDURES

## 1. MANAGEMENT

- a) The day to day administration of pensioner housing is carried out by the Administration Department of the Council, with contract and maintenance works overseen by the Engineering Department preferred methods.
- b) In the case of tenants placed in Council's pensioner units at the referral of another service provider, Council reserves to right to manage the pensioner units in a manner that is to the benefit of Council approved tenants
- c) The Council may consider alternative arrangements or partnerships for the future administration and management of pensioner units if it is in the best interests of tenants and is cost-effective.

# GRIEVANCE MECHANISM

## 1. GRIEVANCE PROCEDURE

a) A tenant who has a grievance regarding any aspect of the Pensioner Housing policies, may state the grievance in writing or in person to the Administration Manager. Upon receipt of the grievance the following procedure will be followed:

- i) Initially, the Chief Executive Officer, or delegate, will meet with the aggrieved in an informal manner in an effort to resolve the grievance and reach a mutually acceptable agreement.

ii) If this fails, the Chief Executive Officer, or delegate, will convene a Grievance Committee, comprising of two people. This Committee will be able to be approached by the Tenant(s) in a further effort to resolve the matter in an informal manner.

iii) If the matter cannot be resolved through the process in (ii) above, it will be deferred to the Residential Tenancies Tribunal for formal mediation.

iv) If processes (i) to (iii) prove unsuccessful the matter may be referred to a Court of Law for final resolution.

b) Within each stage, a decision must be made and the Tenant notified within ten working days. The decision may be to resolve the issue or to advance to the next stage in the process.

c) All grievance procedures will be recorded for public scrutiny and to enable a precedent to be set should a similar case arise.

## **TENANCY MATTERS**

### **1. SMOKING IN PENSIONER UNITS**

a) The Council does not support cigarette smoking. As at the adoption date of this policy tenants will not be permitted to smoke within the units. This will not apply to tenants who were occupying units prior to the adoption of this policy. However, for these existing tenants, planned refurbishments will be undertaken (approximately every seven years) only if the tenant agrees not to smoke in the unit, or to allow others to do so.

### **2. ANIMALS**

a) It is not Council policy to allow tenants to have pets. However, a small animal such as a bird, cat or small dog may be permitted with the Council's consent provided that any such animal must be well behaved, and properly cared for so they do not pose a nuisance to other tenants. Tenants are limited to one animal only and in the case of a cat or a dog, the animal must be neutered or spayed.

### **3. KEYS**

One set of keys will be provided to the tenant at the beginning of the tenancy. It is the tenant's responsibility to take care of these keys. If the tenant loses their keys, property staff will provide a new set for a \$10 charge. If the tenant locks themselves out of their unit, property staff will unlock the unit during normal working hours. If this happens after normal working hours the tenant will need to contact a locksmith at their own expense. Any damage caused by a tenant to gain access to their unit must be repaired by the tenant. Alternatively, keys may be collected from the Council and a \$10 bond will be charged. The \$10 bond will be refunded when the keys are returned.

### **4. LIGHT FIXTURES**

It is the tenant's responsibility to replace light bulbs that expire during their occupancy

### **5. WELFARE**

The Council acknowledges its role as landlord, and as such, will be accessible and diligent towards the general welfare of its tenants. This will not extend to the provision of social services (other than that to which Council has agreed to) to tenants, as these services are better provided by other professional service providers.

The Council will however, endeavour to provide its tenants with the contact information for professional services and service providers. Council staff will consult and work with health, social welfare, and other professional service providers where tenant concerns or difficulties arise outside of the Council's expertise.