

# Te Toi Mahana – Housing Policy

May 2024

---

## Introduction

The Housing Policy sets out the governing principles and service parameters agreed by Te Toi Mahana.

## Purpose and Intent

The purpose and intent of this Policy is to:

- Support the delivery and management of an agile and responsive social housing service that is fair and equitable to all tenants.
- Set and monitor the long-term direction through governing principles and service delivery parameters, enabling Te Toi Mahana to:
  - develop operational procedures and guidelines to deliver an innovative housing service;
  - provide exceptional tenant support – meeting the needs of individual tenants, both in terms of housing need and other support and development needs;
  - continue to develop communities – addressing the social needs of tenant communities by encouraging and developing a sense of place and enhancing community and individual wellbeing;
  - be culturally competent and responsive to the needs of our tenant community, particularly Māori, in line with Te Tiriti o Waitangi principles;
  - manage risks to Te Toi Mahana; ○ maintain a fit for purpose, legislatively compliant asset base.
- Ensure that Te Toi Mahana is financially sustainable into the future by generating sufficient income to:

- cover the costs of managing and maintaining Te Toi Mahana owned and leased properties;
- carry out future planned improvements on Te Toi Mahana properties; and ○ provide quality services to its tenants.

### **Governing Principles**

The vision of Te Toi Mahana is for **Whānau across Pōneke have homes that suit them, in the right place to support their wellbeing**. We work in partnership with Wellington City Council (WCC) through regular reporting and monitoring to ensure the best housing outcome is achieved.

Public, social and community housing strengthens Wellington City Council’s strategy of “All Wellingtonians being well-housed” by providing fit for purpose housing for the right households, in the right location at the right price and with the right support.

We provide discounted rental accommodation to people with a housing need. Our goal is to assist in meeting housing need, manage tenancies fairly and be financially sustainable.

For new applicants via the Ministry of Social Development (MSD) public housing register, we will endeavour to balance the demographics and needs of transferred WCC tenants, when making placement decisions. We will take a people-centred approach and will consider variables that include affordability, access, equity, Te Tiriti o Waitangi, discrimination, and security of tenure.

Partnerships are leveraged that create better outcomes for those in housing need, increase housing supply options and improve overall services and support to tenants.

Strategies and priorities are agreed and monitored, with outcomes reported regularly to the Te Toi Mahana board, Community Housing Regulatory Authority (CHRA) and Wellington City Council (WCC).

### **Service Parameters**

Te Toi Mahana will apply the following service parameters to tenancy management:

- Provide fit for purpose housing to a modern standard (warm, dry and safe).
- Consider the right location for households that delivers a sense of community, safety, belonging and best matches housing need and supply across the housing spectrum.
- The rent setting system for tenants that have transferred from WCC City Housing is equitable and affordable based on tenant circumstances.
- There is a commitment to engage with tenants to achieve their housing aspirations and provide appropriate support when required.
- Te Toi Mahana will ensure that our tenants are housed appropriately and have the right to age in place.
- We will support tenants to exchange their knowledge and skills with each other and the wider community.

## **Eligibility**

New applicants for Te Toi Mahana housing will come via the MSD Public Housing Register.

## **Working in Partnership**

It is not the intention of Te Toi Mahana to duplicate services provided by other agencies that contribute to affordable housing in Wellington but rather to work in partnership with them to ensure all Wellingtonians are well housed.

Te Toi Mahana is committed to working with mana whenua/iwi/hapū on housing solutions for Māori.

Te Toi Mahana is committed to empowering its tenants through community development initiatives aimed at enhancing skills and wellbeing. Our focus is on fostering independence and confidence among our tenants. To achieve this, we will actively facilitate support, organise activities, and foster networks by forging relationships and partnerships with external wellbeing and support service providers as well as community agencies.

## **Tenancy Management**

The Residential Tenancies Act 1986 (the RTA) and the Public & Community Housing Management Act 1992 are the primary legislation that govern the tenancy agreements entered in to between Te Toi Mahana and its tenants.

Te Toi Mahana is committed to undertaking best practice as a Community Housing Provider landlord and will strive to meet and exceed its obligations under the RTA.

We are committed to developing, implementing, and reviewing fair and transparent operational guidelines, policies and procedures that are legislatively robust and which position Te Toi Mahana as being Wellington's landlord of choice.

## **Income Related Rent (IRR) and Income Related Rent Subsidy (IRRS)**

New Te Toi Mahana tenancies are MSD IRR tenancies. MSD calculates IRR, which is the rent the tenant pays to Te Toi Mahana, usually set at about 25% of the tenant's net income. HUD tops up the rent paid to Te Toi Mahana to the agreed market rent through IRRS.

MSD annually reviews the tenant's IRR. It can change the amount paid by the tenant, or the subsidy paid to Te Toi Mahana, if the tenant has a change in income or circumstances.

## **Market Rent Setting Methodology for IRR tenants**

Te Toi Mahana conducts an annual market rent review for each property type and the updated annual rents are made available to MSD. The annual market rent review is carried out by a qualified residential valuer.

## **Ngā Kāinga Taketake (the original homes) Tenants**

The WCC City Housing rental subsidies for Ngā Kāinga Taketake tenants were also transferred to Te Toi Mahana.

These are:

Affordable Rent Limit (ARL) Subsidy:

- Tenants can apply for the ARL subsidy if their rent is more than 35% of their income.
- Tenants need to be receiving the maximum Accommodation Supplement from MSD which is deducted from their rent for this calculation.
- The ARL is a temporary subsidy of up to 12 months at a time that reduces the tenant's rent to be no more than 35% of their income.
- After 12 months tenants can re-apply for the ARL.
- Te Toi Mahana will also ensure that tenants are living in the right sized home for their needs when reviewing ARL applications.

80+ Rent Freeze:

- Tenants aged 80 years and over have their rent frozen for the rest of their tenure upon their 80<sup>th</sup> birthday. The main tenants on the tenancy agreement must be 80 years and over to be eligible for this.

Rent Caps

- No individual tenant will receive an increase of over \$20 per week and no whānau/group will receive an increase over \$30 per week.
- A single parent family (with children under 18) will receive a maximum increase of \$20.00 per week.

Te Toi Mahana relies on MSD and IR to help with affordability by offering the MSD Accommodation Supplement, Temporary Additional Support and Working for Families to eligible tenants.

### **Tenancy Review**

We have historically conducted annual tenancy reviews as part of our tenancy management practices. The reviews involved manually collecting asset and income information from tenants to assess their eligibility for continued occupancy. Te Toi Mahana have decided to no longer conduct these reviews due to having no powers as a landlord to request/collect income and asset information.

All new IRRS tenants have their income and assets assessed as part of the eligibility criteria for the Public Housing Waitlist.

Ngā Kāinga Taketake rents are set annually by the Te Toi Mahana Board and Chief Executive. Rents are reviewed annually, in accordance with the Residential Tenancies Act. Tenants are advised of any rent increase at least 60 days in advance.

### **Market Rent Tenancies**

IRRS tenancies:

From time to time, tenants on IRR will experience changes in circumstances. When the Ministry of Social Development (MSD) calculates the IRR to be paid by the tenant, either at or greater than the market rent agreed upon between the Housing and Urban Development (HUD) and Te Toi Mahana, Te Toi Mahana will be notified by MSD regarding the adjustment. If the calculated IRR exceeds the market rent, Te Toi Mahana will apply the market rent as an upper cap in accordance with the Residential Tenancies Act 2019 and the agreement with HUD.

Based on MSD and HUD contracts and policy, a tenant reaching market rent does not immediately deem them ineligible for community housing. MSD carries out 'Tenancy Reviews' that see MSD select specific cohorts of tenants and review the tenants' ongoing utilisation of housing. The tenant's eligibility is assessed against MSD's standard eligibility criteria used at the point of entry for applicants applying for the Housing Register. Where the tenant is deemed ineligible by MSD, Te Toi Mahana may exit the tenant working with them to ensure they are aware of options available to them such as private sector housing, or the Te Toi Mahana may choose to retain the tenancy placing the tenant on 100% of market rent.

### **Transfer Requests (non-IRR tenancies)**

**We're happy to help tenants transfer between Te Toi Mahana properties when they meet one of the following conditions.**

- Band 1 – Medical and Welfare Priority and other specified Priority Cases
- Band 2 – Overcrowding, Underutilising, Economic and Social reasons.
- Band 3 - All remaining qualified households.

Transfer applications will be prioritised for housing based on their band. The Pre-tenancy team will meet regularly to manually place tenants in each band based on their circumstances.

### Transfer Waitlist Banding System

Band	Key Criteria	
<b>Band 1</b>	Urgent medical need	Housing condition(s) are having a life threatening or significantly adverse effect on the medical condition of the applicant and/or member of the household.
	Significant risk	There is significant personal risk to the household if they remain in their property.
	High welfare needs	Tenant is high on the sustaining tenancy list.
	Decants/Relocation	Transfer applicants needing permanent or temporary decant (move) where the property is required for major repair or redevelopment.
	Te Toi Mahana initiated transfers	The landlord requires the tenant to relocate for: <ul style="list-style-type: none"> <li>• Major maintenance</li> <li>• Major housing upgrade</li> <li>• The property is deemed un-inhabitable, such as following a fire, slip or similar event</li> <li>• Other.</li> </ul>
<b>Band 2</b>	Overcrowding	The property is too small to meet the needs of the household and they would like to transfer to a larger property.
	Underutilising	The property is too large for the household (i.e. one person in two bedroom).
	Medium welfare cases	Tenant is medium category on sustaining tenancy list.
	Economic	A move to a cheaper property will reduce financial stress.

	Medical need	Current property is not suitable due to medical need or needing to be closer to health providers/support.
<b>Band 3</b>	Tenants who do not meet criteria of band 1 or band 2 or have repeatedly declined suitable property offers in their band.	

### Refusal of offers

Applicants will have a needs assessment when submitting a transfer application. This is to try and offer properties that are best suited. Repeated declines of suitable properties may result on being removed from the transfer list.

All applicants on the transfer application must be the legal occupants of the current property and have either New Zealand citizenship, permanent residency, have applied for permanent residency with Immigration New Zealand or a valid visa to be in New Zealand.

Additional applicants will be reviewed on a case-by-case basis.

The applicant will need to provide supporting documents for any additional persons not listed on the current tenancy.

This documentation will need to prove that the person was either included in their original housing application or that personal circumstances have changed that require inclusion.

Such documents include:

- Custody documentation
- NZ Immigration letter approving residency due to family reunification.
- Refugee resettlement papers
- Adoption documentation
- Birth Certificates
- Legal documents from a lawyer.

Only once the relationship has been established with the legal occupant, the application will be accepted for processing.

The priority of transfers is influenced by the availability housing stock.

The Whakahui Tenancy Management System uses a banding system to help determine the priority of tenants on the transfer list.

Tenants not eligible for transfer:

- a) Tenants who have been issued with a breach notice for exceeding maximum number of persons residing in their premises during their tenancy are not eligible to be transferred until they have remedied their household status to be compliant with their tenancy agreement.
- b) Tenants subject to a Tenancy Tribunal process involving anti-social behaviour, suitability for the particular complex they are requesting and/or substantial debt, unless an exception is granted by Te Toi Mahana.

### **Transfer Requests (IRR tenancies)**

Tenants who wish to transfer should get in touch with MSD to make an appointment for a reassessment of their housing need.

If a tenant's housing need has changed, they may need to complete a housing reassessment.

Examples of when a change to a housing need will require a reassessment are:

- household composition requiring more or less bedrooms;
- feature or functionality of the house no longer suitable;
- safety issue;
- other personal needs of the tenant such as health issues.

### **Policy Review**

This Policy will be reviewed annually, or sooner as required.