

Legislative Statement: Residential Tenancies (Healthy Homes Standards) Amendment Bill

Presented to the House of Representatives in accordance with Standing Order 272

Introduction

- 1 The Residential Tenancies (Healthy Homes Standards) Amendment Bill (the Bill) seeks to extend the healthy homes standards compliance timeframes in recognition of the impact that COVID-19 has had on implementation in recent years.

Changes in the compliance timeframes

- 2 The Bill extends the timeframe to comply with the healthy homes standards for private landlords, Kāinga Ora and Community Housing Providers who have not yet been required to comply through amendments to the Residential Tenancies (Healthy Homes Standards) Regulations 2019 (healthy homes standards) and the Residential Tenancies Act 1986(the RTA) :
 - For private landlords, the timeframe for compliance for a new or renewed tenancy shifts from 90 days to 120 days.
 - The final date by which all private landlords must comply shifts from 1 July 2024 to 1 July 2025.
 - For Kāinga Ora and Community Housing Providers, the timeframe for compliance shifts from 1 July 2023 to the new date of 1 July 2024.
 - The Bill does not change the compliance requirements for boarding houses, who needed to comply by 1 July 2021.
- 3 The changes apply to private rentals that were not required to comply before 26 November 2022. This means if the tenancy started or renewed on or after 28 August 2022, the landlord now has 120 days to comply with the healthy homes standards.

Consequential amendments and transitional provisions

- 4 As a result of the changes to the compliance dates for the healthy homes standards there are consequential amendments to be made to the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016 (smoke alarm regulations).
- 5 The smoke alarm regulations were implemented prior to the healthy homes standards. They require a level of insulation for rental properties that ceases to apply once the healthy homes standards have been complied with. Therefore, the transitional provisions in the smoke alarm regulations will be changed to reflect the new compliance dates in the Bill.

- 6 One of the exemptions to the healthy homes standards is if the landlord applied for consent to demolish or substantially rebuild their home. Currently, if this exemption ceases to apply, then the landlord must comply within 90 days. This time period will also be extended from 90 to 120 days to be consistent with the new compliance timeframes.