



MINISTRY OF HOUSING  
AND URBAN DEVELOPMENT

# Healthy Homes Standards

Common Questions and Answers

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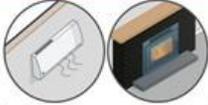
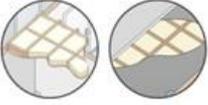
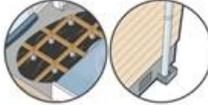
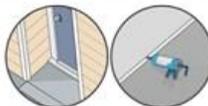
Guidance up-to-date as at 2 June 2020



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# The Healthy Home Standards

	Standard	Required Standard
	Heating	<ul style="list-style-type: none"> <li>There must be fixed heating devices, capable of achieving a minimum temperature of at least 18°C in the living room only. Some heating devices are inefficient, unaffordable or unhealthy and will not meet the requirements under the heating standard.</li> </ul>
	Insulation	<ul style="list-style-type: none"> <li>The minimum level of ceiling and underfloor insulation must either meet the 2008 Building Code, or (for existing ceiling insulation) have a minimum thickness of 120mm.</li> </ul>
	Ventilation	<ul style="list-style-type: none"> <li>Ventilation must include openable windows or doors in the living room, dining room, kitchen and bedrooms. Also appropriately sized extractor fan(s) in kitchens and bathrooms.</li> </ul>
	Moisture ingress and drainage	<ul style="list-style-type: none"> <li>Landlords must ensure efficient drainage and guttering, downpipes and drains. If a rental property has an enclosed subfloor, it must have a ground moisture barrier if it's possible to install one.</li> </ul>
	Draught stopping	<ul style="list-style-type: none"> <li>Landlords must stop any unreasonable gaps or holes in walls, ceilings, windows, floors, and doors that cause noticeable draughts. All unused open fireplaces must be blocked.</li> </ul>
	Compliance timeframes	<ul style="list-style-type: none"> <li>1 July 2021 – From this date, private landlords must ensure that their rental properties comply with HHS within 90 days of any new tenancy.</li> <li>1 July 2021 – All boarding houses must comply with the healthy home standards.</li> <li>1 July 2023 – All Housing New Zealand houses and community housing providers must comply with the healthy home standards.</li> <li>1 July 2024 – All rental homes must comply with the healthy home standards.</li> </ul>

## Overview

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### Why are the healthy homes standards being implemented?

One-third of New Zealand households (nearly 600,000) rent, and rental homes tend to be older and of poorer quality than owner occupied dwellings.

Renters have less autonomy to make improvements to their homes than owner occupiers, and maintaining and improving the quality of the dwelling is the responsibility of the owner.

While many landlords maintain and upgrade their properties, there are some who don't, leaving tenants living in cold, damp homes.

The healthy homes standards will make it easier for renters to achieve warmer, drier homes, helping to reduce mould and damp and the potential for associated health conditions. They will also provide a clear set of minimum standards all landlords will need to provide their tenants.

### What do the healthy homes standards do?

The healthy homes standards create specific and minimum standards for heating, insulation, ventilation, draught stopping, moisture ingress and drainage in rental properties.

### When will I have to meet the standards?

The type of tenancy you are in or the type of landlord you are will determine when you will have to meet the standard. The table below clarifies:

Type of tenancy or landlord	The date of compliance
Private landlord, residential	<ul style="list-style-type: none"><li>• The rental property will have to comply with the standards within 90 days of the renewal or start of a new tenancy after 1 July 2021</li><li>• If your tenancy starts, or is renewed after 1 July 2021, then the landlord must comply with the standards within 90 days of the start of renewal of your tenancy.</li><li>• By 1 July 2024 all rental homes must comply with the healthy homes standards</li></ul>
Boarding house tenancy.	<ul style="list-style-type: none"><li>• The boarding house will have to comply with the standards by 1 July 2021</li></ul>
Tenancies under Kāinga Ora or registered Community Housing Providers.	<ul style="list-style-type: none"><li>• The rental property will have to comply with the standards by 1 July 2023</li></ul>

## **What will the healthy homes standards mean for tenants?**

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The healthy homes standards are designed to support the government's goal of tenants being able to rent a warm, dry and healthy home. The standards will require a rented property to have a fixed heater or heat pump in every living room or lounge. The heat pump or heater must be able to heat the living room to a minimum of 18° C. The insulation and draught stopping standards are designed to ensure that heat is retained and not lost too quickly.

The ventilation and moisture ingress and drainage standards are designed to help prevent dampness which has negative health outcomes for tenants. These standards should also help prevent the growth of mould and improve the moisture management system and air circulation in a home.

### **What will the healthy homes standards mean for landlords and property managers?**

A landlord is required to ensure their rental properties meet the standards by the deadline that applies to them. Most landlords are required to meet the standards within 90 days from the start of any new, or renewed tenancy from 1 July 2021. This means that any new or renewed tenancy after 1 July 2021 will have to meet the standards within 90 days. All tenancies must meet the standard by 1 July 2024.

The cost to landlords will vary and will depend on a property's characteristics (for example, size, age, condition), and the amount of work required to bring each property up to the minimum requirements.

Landlords may need to install appropriately sized heating devices or extractor fans in certain rooms.

Regardless of whether any work is done, a landlord will have to keep records of how they are complying with the healthy homes standards. These records must be able to be provided to the Tenancy Tribunal or the Tenancy Compliance and Investigations Team. Landlords will also need to include compliance information in their tenancy agreement. From 1 December 2020 landlords will need to include information on each of the standards in any new or renewed tenancy agreement even if they are not yet required to comply with the standards. See the tenancy agreement section below for details on what information is required.

Once implemented, the healthy homes standards will mean that landlords may need to do less maintenance to their houses as they will be less prone to moisture damage and the damage caused by mould growth.

The healthy homes standards will also provide a clear set of minimum standards for heating, insulation, ventilation, draught stopping and moisture ingress and drainage that all landlords will need to provide for their tenants.

### **Will landlords receive any assistance in achieving compliance with the healthy homes standards?**

User friendly and comprehensive guidance will be provided to help landlords to comply with the standards. We expect these to be available on the Tenancy Services website from July 2019 and will help landlords understand

any technical matters in meeting the healthy homes standards. There will also be an online tool to help landlords and tenants work out what size and type of heater is needed in order to meet the requirements under the heating standard.

### **My property is up to the standards of the Building Code, will my property meet the healthy homes standards?**

If you met the acceptable solutions of the most recent building codes, you may meet most of the healthy homes standards, but not necessarily all. It is recommended you check your house for all standards, including, the heating, ventilation and moisture ingress standards.

### **How can a landlord or tenant resolve a dispute under the healthy homes standards?**

A landlord will have a legal obligation to comply under the *Residential Tenancies Act 1986* with the healthy homes standards by the required compliance deadline. A landlord will also have to comply with any requirements for record keeping and statements in the tenancy agreement.

If you require any assistance as a landlord or tenant in a dispute, you can contact Tenancy Services on 0800 836 262 or find more information on the [Tenancy Services website](#).

A tenant can hold a landlord accountable to the standards by applying to the tenancy tribunal.

Tenants and landlords can resolve disputes through mediation or adjudication by making an application to the Tenancy Tribunal. In severe cases or where there is a pattern of breaches, tenants may make a complaint to the Tenancy Compliance and Investigation team.

If a landlord is non-compliant with the healthy homes standards, a tenant can apply to the Tribunal for a monetary order and/or a work order. The Tenancy Tribunal may award exemplary damages, a financial penalty of up to \$4000 against the landlord, which is usually awarded to the tenants. The amount awarded by the Tribunal is dependent on the intention of the landlord, the effect of the non-compliance on the tenant, the interest of both parties as well as the public interest. The Tribunal may also award compensation for any material loss and/or general damages for intangible loss, stress, humiliation, and inconvenience suffered by the tenant due to the landlord's non-compliance.

### **Can my rental property be exempt from the healthy homes standards?**

For each standard there are specific exemptions to that standard that apply and these are discussed below under the different standards. In addition to the individual exemptions, there are a small number of general exemptions that also apply. The general exemptions that would exempt a rental property from complying with the healthy homes standards are:

- where the landlord intends to demolish or substantially rebuild the home within 12 months and has applied for any necessary resource consent or building consent. This exemption only applies for the relevant 12-month period or until any necessary resource consent lapses or is otherwise terminated
- for 12 months from the date the tenancy commences, if the tenant is the former owner of the home where a rental property is part of a building and the landlord does not own the entire building, a landlord will be partially exempt from complying with parts of the standards. However, a landlord will still have to take all reasonable steps to comply with the standards to the greatest extent reasonably practicable.

#### **If I meet an exemption for one standard do I have to meet the other standards?**

Yes, you must meet the other standards. Each standard has a list of exemptions, but they only apply to the specific standard or a specific part of a standard.

#### **Who can I talk to if I have any more questions?**

If you have a question relating to the healthy homes standards that you cannot find an answer to in this document, you can contact Tenancy Services.

Tenancy Services can provide clarification around tenancy rules and laws. You can email them at [info@tenancy.govt.nz](mailto:info@tenancy.govt.nz) or call them during office hours on 0800 836 262.

For media enquiries about the healthy homes standards, you can contact the Ministry of Housing and Urban Development media team at [media@hud.govt.nz](mailto:media@hud.govt.nz)

#### **Are these the final standards?**

Yes, the regulations will become law on 1 July 2019.

#### **Will the Government provide assistance to tenants who cannot afford to heat their rental homes?**

Tenants who receive income support payments from Work and Income, NZ Superannuation or a Veteran's Pension are eligible for an additional Winter Energy Payment to assist with heating costs. The Winter Energy Payment was paid automatically to those eligible from 1 July to 29 September in 2018 and will be paid from 1 May to 1 October from 2019.

### **What did the consultation tell the Government?**

The consultation process highlighted many themes and positions from both tenants and landlords.

The standards also reflect the feedback from a wide range of stakeholders, including landlords, tenants, public health experts and building experts. The Ministry of Housing and Urban Development (HUD) appreciated receiving over 1700 submissions with valuable insights and feedback from tenants, landlords, property managers, respective advocacy groups, industry providers, the health sector and other interested parties.

[A consultation summary with analysis of the responses is available on the HUD website](#)

### **How did you arrive at the healthy homes standards?**

The *Healthy Homes Guarantee Act 2017* set the parameters for the series of options that were produced and consulted on.

The cost benefit analysis produced by the New Zealand Institute of Economic Research showed that different options had different cost-benefit ratios.

There was a rigorous process and the costs and benefits of each option was carefully considered. The final standards was informed by our analysis of the New Zealand rental market, building science research and feedback from public consultation.

### **When are the guidance documents going to be published?**

The guidance documents is expected to be published on Tenancy Services' website by 1 July 2019.

### **What do these standards mean for builders and tradespeople?**

Many landlords may choose to use professional services for the installation of appliances and any building work that has to be carried out in meeting the standard.

It is therefore recommended that a builder who may be asked to carry out work in relation to the healthy homes standards familiarise themselves with the standards.

As with all building work, the work must meet the standards of the building code.

### **What do the healthy homes standards mean for Māori?**

Raising the quality of rental homes will help to address the needs of identified at-risk groups including Māori. Māori families are more likely than other ethnic groups to live in, and feel the effects of, cold and damp rental homes.

Cold and damp homes are strongly associated with people experiencing health issues, including respiratory and cardiovascular conditions, toxic reactions, allergies, and other infections.

This leads to wider negative social outcomes, such as absent days from school or work. We sought specific feedback from Māori through the workshops and the consultation process. This included from iwi housing providers, Rūnanga, Māori advocacy groups (such as social and health providers), and from Te Puni Kōkiri at an agency level. We received a good level of feedback from these groups.

## Tenancy agreements and record keeping requirements

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The healthy homes standards build on existing information requirements for tenancy agreements and record keeping. Including healthy homes information in tenancy agreements helps clarify how a home is compliant and increases awareness of the healthy homes standards for both landlords and tenants. [Resources to support landlords to meet their tenancy agreement obligations are available on the Tenancy Services website](#) prior to these requirements coming into effect on 1 December 2020.

**Please note:** The compliance date relates to when landlords must include a statement of their current level of compliance with the Healthy Homes Standards in any new or renewed tenancy agreements. That compliance date has been changed from 1 July 2020 to 1 December 2020. The response to COVID-19 impacted landlords' ability to comply with the compliance statement by 1 July 2020.

[Visit the Tenancy Service website – Required statements for tenancy agreements](#)

### What information does a landlord have to provide in a tenancy agreement under the healthy homes standards?

From 1 July 2019 all new or renewed tenancy agreements must include a signed statement that the landlord will comply with the healthy homes standards as required by the *Residential Tenancies Act 1986*.

From 1 December 2020, most new or renewed tenancy agreements will also need to include specific and prescribed information about how the landlord complies or intends to comply. The prescribed information must be included in any new or renewed tenancy agreement from 1 December 2020 except for a fixed term tenancy that ends before the healthy homes date of compliance. For example, a fixed term tenancy for six months from 2 July 2019 to 2 January 2020 does not have to include the prescribed information but will still need to include a signed compliance statement.

The prescribed information that a landlord must present in a tenancy agreement and sign is as below:

Healthy homes standard	Statement
Heating	<ul style="list-style-type: none"> <li>• The type and heating capacity of acceptable heaters present in the main living room</li> <li>• The required heating capacity for the main living room to reach at least 18° C</li> </ul>
Insulation	<ul style="list-style-type: none"> <li>• The landlord must state the type, location and condition of all insulation in the walls, ceiling and underfloor. This has been a requirement from 1 July 2016.</li> <li>• For each ceiling insulated, a landlord will also have to state either <ul style="list-style-type: none"> <li>○ the insulation's R-value and if known the date it was installed, or</li> <li>○ the thickness of the insulation and if known the date when it was last inspected.</li> </ul> </li> <li>• For each underfloor space a landlord will have to state the insulation's R-value and if known the date it was installed.</li> </ul>
Ventilation	<ul style="list-style-type: none"> <li>• A landlord will have to state that each habitable space in the premises has one or more openable window, or door.</li> <li>• The landlord will also have to state the diameter or exhaust capacity of each extractor fan installed in the kitchen or bathroom.</li> </ul>
Moisture ingress and Drainage	<ul style="list-style-type: none"> <li>• A landlord must state that the rental premises has an efficient drainage system.</li> <li>• The landlord must also state that the premises does not have any enclosed subfloor spaces or the landlord must state that each enclosed subfloor space in the premises has a ground moisture barrier.</li> </ul>
Draught stopping	<ul style="list-style-type: none"> <li>• The landlord must provide, for each open fireplace, a statement that it is either closed off, its chimney is blocked or it is not blocked off as per the tenant's request.</li> <li>• The landlord will also have to state that the premises are free from unintentional and unreasonable gaps between, and holes in, building elements that allow draughts into or out of the premises.</li> </ul>
Exemptions	<ul style="list-style-type: none"> <li>• If the landlord does not have to meet any of the standards because of an exemption, they must make a statement to that effect and include a brief description of the circumstances giving rise to the exemption</li> </ul>

### **Can I get help to make sure my rental property is compliant with the healthy homes standards?**

Yes, you can. In addition to the resources Tenancy Services provide, you can engage a third party professional to provide advice or an assessment of your rental property to assure it meets the healthy homes standards. Getting third-party assurance is voluntary but an effective way to make sure your rental property is compliant.

### **What records does a landlord have to keep, to show compliance with the healthy homes standards?**

Landlords are already required to keep copies of certain documents relating to the rental home under the Residential Tenancies Act 1986 (such as records of inspections and any maintenance or repair work carried out). In addition to these records, the healthy homes standards require landlords to keep relevant documents that adequately show compliance with all the healthy homes standards.

Examples of relevant documents can include:

- a. Code compliance certificate
- b. Records of calculations of a living room's required heating capacity, including a printout from the heating tool
- c. Certificate of acceptance
- d. Receipts from building practitioners.
- e. Invoices from building practitioners and/or other service providers.
- f. Receipts for any building materials and/or elements.
- g. Photographic evidence of compliance.
- h. Records of work from building practitioners or Independently Qualified Persons.
- i. A professional evaluation performed by a Licensed Building Practitioner, Independent Qualified Person or any other relevant professional.
- j. A Building Warrant of Fitness or Compliance Schedule, where the extractor fans are part of a larger ventilation system and the ventilation system is a specified system
- k. Land Information Memorandum (LIM) or Building information reports or part of these reports that reasonably shows compliance.
- l. Product manuals/schedules for devices installed for the purpose of compliance with the standards.
- m. Any other salient documents/records that will reasonably show compliance

These records would be good for a landlord to keep regardless, as they are records that landlords would have to retain as part of running their business, and having access to these documents may help with re-sale value.

## When do I have to meet the standards?

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### When will a rental property have to meet the standards?

There are several different compliance deadlines, depending on what type of tenancy applies to your property. The compliance deadlines are as below:

- For most residential tenancies, from 1 July 2021 a landlord will have to ensure that a tenanted property is compliant within 90 days of the start of every new or renewed tenancy. All residential tenancies will have to be compliant by 1 July 2024.
- Two types of tenancy must comply by fixed dates:
  - All boarding house tenancies (except Kāinga Ora and registered community housing boarding house tenancies) will have to meet the standards by 1 July 2021.
  - All Kāinga Ora or registered community housing will have to meet the standards by 1 July 2023.

### Will different standards come into force at different times?

No, all five standards need to be met at the same time. When the rental property needs to comply will depend on the type of tenancy.

### When will a landlord be required to make a signed statement in their tenancy agreement that they comply with the healthy homes standards?

In any new or renewed tenancy from 1 July 2019, a landlord will have to make a statement that they comply or intend to comply with the healthy homes standards when required. A landlord must make this declaration, even if the landlord does not have to comply until the healthy homes compliance date.

From 1 December 2020 in any new or renewed tenancy agreement a landlord must also state what they have present in the property to comply with the healthy homes standards as well as other prescribed information. This is a requirement unless the tenancy is a fixed term that ends before the relevant healthy homes compliance date for the tenancy.

**From 1 July 2021 private landlords will have to comply with the standards within 90 days of the start of a new or renewed tenancy. How will a landlord have access to my home/their house to do the work?**

From 1 July 2019 a landlord will have the lawful right of access to the premises of a tenancy in order to undertake work to comply with the healthy homes standards, under a notice of entry served at least 24 hours before the entry.

A landlord may have a right of entry under a notice lawfully served. However a landlord also has an obligation to respect a tenant's quiet enjoyment, or reasonable peace, comfort and privacy. It is best landlords and tenants communicate and clearly set expectations with each other so as to ensure an effective relationship based on privacy and respect.

It is important that landlords respect a tenant's legal right of occupation under a tenancy agreement. However, a tenant must also respect a landlord's right to inspect their property and to undertake the work needed. This balance means that clear communication is essential.

# Heating

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## **What is the heating standard?**

The heating standard requires landlords to provide a fixed heating device, capable of achieving a minimum temperature of at least 18°C in the main living room only. Some heating devices are inefficient, unaffordable or unhealthy and will not meet the requirements under the heating standard.

An online heating tool will be developed by Tenancy Services to help landlords and tenants identify what capacity is required for their rental property.

## **How will landlords and tenants know their heater is sufficient for the performance requirement of 18 degrees?**

An online tool will be developed by Tenancy Services that will calculate the required capacity of a heater in kilowatts. This tool will provide a kilowatt figure using the size of the room and information about insulation and windows as variables. As well as calculating a minimum kilowatt figure, the tool will provide a print-out of the variables and required minimum capacity of the heater. This print-out can be used to show compliance with the heating standard.

## **How easy is it for landlords to use this tool?**

The tool will require some figures and measurements to be supplied in order to use the tool. These figures should be the dimensions of the room, dimensions of any windows or skylights and information about insulation that is in place.

There will be a guidance document that will accompany the online tool.

## **I want to get started on bringing my rental property up to standard, when will this tool be made available to me so I can make sure I am making the correct changes?**

We are aiming to make the heating tool available by 1 July 2019.

## **How is a living room defined?**

A living room is a room that is used for general everyday living. This can be a lounge, dining room, sitting room or family room. If there is more than one living room, only the main living room requires heating. The main living room is the largest living room. The boundaries of the living room are walls, ceiling and floors and any closable windows and doors. This means open plan areas are considered one space and require heating appropriately sized for that space.

If the property is a boarding house, and there is more than one communal living room, the main living room is the largest communal living room.

### **Why is heating not required in bedrooms?**

Living rooms are generally of a larger size than bedrooms, meaning that they usually require a more powerful fixed heating device than the portable heaters that many tenants may provide for themselves.

Tenants will still be able to provide a portable heating device for their use in a bedroom, a landlord will not be required to provide a heater for tenant's bedrooms.

Tenants can seek assistance from WINZ if they are struggling to pay for a heater for use in their bedroom.

### **Why is 18 degrees the minimum temperature heaters must be sized for?**

The World Health Organisation (WHO) recommends a minimum indoor temperature of 18°C for the wider population. The temperature of 18°C was chosen for the standards as tenants will benefit from the installation of a fixed heating device (if there was not one already) and will be able to heat their living room, if they choose to. This approach balances the cost to landlords with the benefit to tenants.

It is important to note that devices capable of heating a living room to 18°C on the coldest days, which is the requirement under the heating standard, will be able to heat a living room to higher temperatures most days in the year.

### **Are there any heaters that cannot be used to meet the standard, even if they meet the performance requirement?**

Yes, there is a list of devices that cannot be used to meet the standard. A different type of fixed heater or heat pump that meets the standard will have to be added. Devices that cannot be used to meet the standard will be:

- Unflued combustion heaters, such as portable LPG bottle heaters
- Open fires
- Heating devices that are less than 1.5 kilowatts
- Electric heaters (except heat pumps) where the required heating capacity is more than 2.4 kilowatts.

These are included in a list of heaters that may not be used to satisfy the heating standard because they are either inefficient, unaffordable to operate and/or unhealthy to run.

### **What if I have already installed a heater in the living room?**

A landlord will need to determine whether the current heating device is an acceptable device and if the heating device will be able to heat the main living room to 18°C. Landlords can use the online heating tool to determine the kilowatts required to heat the main living room to 18°C.

If a landlord has installed a heating device before 1 July 2019 and the heating output is within 10% of the kilowatts required to heat the main living room, that heating device will meet the standard.

### **How do I determine the heat output of an old woodburner?**

Many woodburners have a label stating their heat output. Alternatively, landlords can check manufacturer's information or council records for information on the heat output of their woodburner.

### **Can I meet the standard with central heating?**

A landlord can meet the heating standard with central heating as long as the central heating has the required heating output to heat the living room to 18°C and provides heat directly to the living room (for example, through vents or radiators present in the living room).

### **I have an undersized heater, can I top up with an electric heater?**

A landlord may be able to install an electric heater to make up the difference between the required heating capacity and an existing undersized heater(s).

An undersized heater(s) can be topped up by an electric heater of up to 1.5 kilowatts. However, this can only be done where the required heating capacity for the main living room is more than 2.4 kilowatts and the existing heating device(s) were installed before 1 July 2019.

### **Are there any specific exemptions to the heating standard?**

Yes there are specific exemptions to the heating standard. There will be guidance on whether your properties do or do not fit under these exemptions. The exemptions are:

- where it is not reasonably practicable to install a qualifying heating device.
- where the rental property is a certified passive house.

These are in addition to the general exemptions:

- where the landlord intends to demolish or substantially rebuild the home within 12 months
- for 12 months from the date the tenancy commences, if the tenant is the former owner of the home
- where a rental property is part of a building and the landlord does not own the entire building, a landlord can be partially exempt from complying with parts of the standards. However, a landlord will still have to take all reasonable steps to comply with the standards to the greatest extent reasonably practicable.

## Insulation

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### What is the insulation standard?

The insulation standard requires insulation in a rental property to be up to a standard equivalent to the 2008 building code standard for both ceiling and underfloor insulation or, for existing ceiling insulation it must be at least 120mm thick. All insulation in a rental home will have to be in a reasonable condition.

### Do I need to meet the 2016 RTA insulation requirements now that there are new healthy home standards?

Yes, the 2016 RTA insulation requirements will continue after 1 July 2019. Ceiling and underfloor insulation is compulsory in all rental homes from 1 July 2019. For more information on the 2016 insulation requirements see <https://www.tenancy.govt.nz/insulationdeadline/>.

After 1 July 2021 the minimum allowable ceiling insulation will increase, this means a new group

of homes that did not have to install insulation under the 2016 RTA requirements will have to 'top up' their insulation. Insulation installed to meet the 2016 requirements, for installs after 1 July 2016, will continue to meet the higher requirements under the healthy homes standards as long as it remains in a reasonable condition.

### My home had enough insulation to meet the 2016 RTA requirements, will my home need more insulation under the healthy home standards?

The healthy homes standards increase the minimum level of existing ceiling insulation from 70mm to 120mm thick. If a rental home has less than 120mm of insulation in the ceiling space or the insulation is not in reasonable condition, then the home requires an insulation 'top up' to 2008 building code levels within 90 days of a new or renewed tenancy that starts after 1 July 2021.

### How do I meet the 2008 Building Code standard for insulation?

Insulation requirements under the 2008 Building Code are measured by R-value. 'R' stands for resistance

— how well insulation resists heat flow. The higher the R-value, the better the insulation.

You can check the R-value of new insulation by checking the product packaging. For existing insulation, you can check the thickness yourself (existing ceiling insulation must be at least 120mm thick) or consult a professional insulation installer to tell you if it meets the regulations. The Insulation Association of New Zealand and the Energy Efficiency Conservation Authority can help.

Minimum R-values vary across New Zealand's three climate zones.

- Zone 1 — ceiling R 2.9, underfloor R 1.3
- Zone 2 — ceiling R 2.9, underfloor R 1.3
- Zone 3 — ceiling R 3.3, underfloor R 1.3

Map of climate zones



### **What if I have or am in the process of installing insulation to meet the 2016 RTA requirements?**

Providing that any new insulation installed to meet the 2016 requirements remains in a reasonable condition, there are no further insulation requirements under the healthy homes standards. However, if no work was done to meet the 2016 requirements, you may still have to retrofit your insulation to bring it up to the healthy homes insulation standard.

If any insulation is installed from now, it should meet the healthy homes standards, the standard requirement for new building work is equivalent to new installations made after 2016.

### **I installed new insulation in my rental property to meet the requirements introduced in July 2016, am I covered under the healthy homes standards?**

The level of insulation required under the healthy homes standards is the same as new installs made in rental homes after July 2016. This standard is the same as the 2008 building code insulation requirement for ceilings and underfloors. However, even if you did install it recently, it is still advised that a landlord inspect the insulation to confirm it is still in a reasonable condition.

### **Why is the healthy homes insulation standard being introduced?**

Insulation keeps heat in a room or property from escaping or dissipating, as such, the better insulated a rental home is, the more it will retain heat, generally. This means, all things being equal, heating a rental home will require less energy if it is better insulated. A tenant is therefore able to heat a room and their home, in a more affordable way, with more insulation.

### **How will I know whether the insulation is in a 'reasonable condition'?**

Insulation is not considered to be in a reasonable condition if there are signs of damage. This could include:

- dampness, mould, water damage
- rips, tears
- gaps in the insulation coverage, except where safety clearances are required
- settlement or compression below 120mm of depth
- vermin or bird nests
- other contamination
- any other damage or compromise to the condition of the insulation.

Detailed guidance is available, here: <https://www.tenancy.govt.nz/assets/Uploads/files/healthy-homes-standards-insulation.pdf>.

### **What specific exemptions are there to the insulation standard?**

The specific exemption to the insulation standard is:

- Where it is not reasonably practicable to install insulation. Eg. There is insufficient space to install insulation in the roof cavity or subfloor.

This is in addition to the general exemptions:

- where the landlord intends to demolish or substantially rebuild the home within 12 months
- for 12 months from the date the tenancy commences, if the tenant is the former owner of the home
- where a rental property is part of a building and the landlord does not own the entire building, a landlord can be partially exempt from complying with parts of the standards. However, a landlord will still have to take all reasonable steps to comply with the standards to the greatest extent reasonably practicable.

### **When is it not reasonably practicable to install insulation?**

There will be a guidance document that will further detail this exemption however a similar approach will be taken to the insulation exemption under the current *Residential Tenancies (Smoke Alarm and Insulation) Regulations 2016*. A property may be exempted if the cavity is not reasonably accessible or it does not exist, for example concrete slab foundations. There is more information about exemptions for the existing regulations [here](#).

### **Can existing foil insulation meet the insulation standard for the underfloor?**

Existing foil insulation may be able to meet the requirements, if it is still in reasonable condition.

However, new installs or retrofits of foil insulation are banned under the Building Act where a property has existing electrical installations. If foil insulation is torn, damaged or worn, it will not meet the insulation standard as it will no longer be in a 'reasonable condition'. Therefore it will need to be replaced with other forms of insulation.

If you are removing foil insulation it is recommended that you contact an electrician and turn off the power before doing any work.

For more information on foil insulation, please view the ban on new installations, [on the building.govt.nz website](https://www.building.govt.nz).

### **Do I have to use a qualified insulation installer?**

No, there is no requirement that a professional install insulation under the healthy homes standards.

A landlord may choose to use a professional insulation installer, but there is no lawful requirement to do so.

If a landlord does choose to install insulation themselves, it is important to note that safety is crucial while doing any building work. New Zealand standard 4246:2016 Appendix B provides useful guidelines which you can find, [here](#).

Otherwise you can follow EECA's helpful guidance on installing and retrofitting insulation which you can find, [here](#). Or you can follow the link: <https://www.energywise.govt.nz/at-home/insulation/>

## Ventilation

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### What is the ventilation standard?

The ventilation standard has two parts. The standard places a requirement which applies to bedrooms, dining rooms, living rooms, lounges or otherwise habitable spaces (excluding rooms with showers, baths or cooktops). The second part of the standard applies to rooms with a bath, shower or cooktop.

The ventilation standard requires all properties rented under the Residential Tenancies Act to have doors or windows that open to the outside in all bedrooms, dining rooms, living rooms, lounges, open plan rooms and kitchens. The openable windows and doors in a room must have a total area of 5% of the floor area in their respective rooms. The windows or doors must also be able to be fixed in the open position. This clarifies an existing standard from the *Housing Improvement Regulations*.

The ventilation standard also requires all rooms with a bath, shower or cooktop to have an appropriately sized extractor fan that ventilates externally.

### What if my rental property already has a fan in the bathroom or kitchen?

Any new extractor fan installed after 1 July 2019 needs to comply with the size or performance requirements and ventilate to the outside of the house.

Any extractor fan installed before 1 July 2019 must ventilate to the outside of the house, but is not required to meet the size or performance requirements.

### What are the specific exemptions to the ventilation requirement?

Rental properties will have to meet the ventilation standard by the relevant deadline unless they fall under an exemption. Some exemptions cover just a single room, while others may cover the entire property. There are two exemptions, which are below:

- If the property was lawful at the time it was built, even though it did not have an openable window or door in the relevant room. The room must also continue to meet any alternative ventilation requirements that applied when it was built. This exemption only applies to the requirement to have openable windows and doors.
- It is not reasonably practicable to install an extractor fan or fans. This exemption only applies to the extractor fan requirements.

These are in addition to the general exemptions:

- where the landlord intends to demolish or substantially rebuild the home within 12 months

- for 12 months from the date the tenancy commences, if the tenant is the former owner of the home
- where a rental property is part of a building and the landlord does not own the entire building, a landlord can be partially exempt from complying with parts of the standards. However, a landlord will still have to take all reasonable steps to comply with the standards to the greatest extent reasonably practicable.

### **Why is there a ventilation requirement?**

The ventilation standard has benefits for tenants and landlords. Mould and dampness caused by poor ventilation is harmful for tenant's health as well as landlord's property. Therefore the ventilation standard was formed to target dampness and mould in key areas of the home. It also reinforces an existing standard that there must be openable windows in habitable areas unless the property received a building consent which indicates otherwise.

### **Do I still need an extractor fan in the bathroom if I have a shower dome?**

Yes, you do. A shower dome is useful in preventing the build-up of moisture. However, it does not extract moisture out of the bathroom, which has been identified as a room with large sources of internal moisture.

### **How do I measure the 5% of the floor area that openable windows or doors will have to meet?**

The ventilation standard requires openable windows or doors in a room will be equal, in area, to 5% of the floor area of that room.

This 5% includes the parts of the framing and joinery that opens with the window.

### **What size/flow rate does an extractor fan have to be to meet the standard?**

The size or flow rate of an extractor fan required under the ventilation standard will depend on whether it is installed in the kitchen or bathroom. All extractor fans must be vented to the outside of the property to meet the healthy homes standard.

If an extractor fan is installed in the kitchen, the fan and all ducting must be at least 150 mm in diameter or the fan with ducting must have an exhaust capacity of 50 l/s.

If an extractor fan is installed in the bathroom, the fan and all ducting must be at least 120 mm in diameter, or the fan with ducting must have an exhaust capacity of 25 l/s.

### **I have more than one extractor fan in a bathroom/kitchen, can they work together or will at least one fan have to meet the requirement?**

No, at least one of the fans will have to meet the requirements.

**I have more than one kitchen or bathroom, do I need to put extractor fans in all of them?**

Yes, you will have to install appropriately sized extractor fans in all rooms with baths, showers or indoor cooktops.

**I have a range hood in the kitchen, will it meet the ventilation standard?**

Yes it may. A range hood can be suitable if it ventilates to the outside of the rental.

**Will having a positive pressure ventilation system meet the ventilation standard?**

No. The goal of the healthy homes standards is to ensure tenants are able to live in warm and dry homes. Positive pressure ventilation systems do not extract air from damp areas like rooms with showers, baths or cooktops. Therefore they do not meet the requirement set in the ventilation standard to have extractor fans of an appropriate size and performance. Landlords can still install positive pressure ventilation systems, however, they will not be a way of meeting the healthy homes standards.

## Draught Stopping

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### **What is the draught stopping standard?**

The draught stopping standard is the requirement for landlords to stop any unreasonable gaps or holes in walls, windows, floors and doors that cause noticeable draughts. As a part of this requirement, landlords will have to block the fireplace or chimney of an open fireplace unless the tenant and landlord agree otherwise.

### **Why is there a draught stopping standard?**

Draughts in homes increase the likelihood of lower temperatures in houses. Draughts may also make it more expensive for a tenant to heat their home to a reasonable and healthy temperature. Stopping draughts and blocking unused chimneys is a simple and effective way to lift the burden of expensive heating bills from tenants.

### **How can I tell whether I need to block or fill a hole or not? When is a draught noticeable?**

There will be guidance to help landlords and tenants identify whether a hole or gap needs to be filled.

### **Will I need to stop a draught caused by a door?**

Yes, if a door fits the criteria of having an unreasonable gap that causes a noticeable draught, then there will be a requirement to stop the gap. While there is no set maximum gap for doors, there will be guidance made available to help landlords and tenants identify when a gap needs to be stopped.

### **Will there be any specific exemptions to the draught stopping standard?**

No, after the compliance date a landlord must comply with the draught stopping standard unless they meet any of the general exemptions.

The general exemptions cover:

- where the landlord intends to demolish or substantially rebuild the home within 12 months
- for 12 months from the date the tenancy commences, if the tenant is the former owner of the home
- where a rental property is part of a building and the landlord does not own the entire building, a landlord can be partially exempt from complying with parts of the standards. However, a landlord will still have to take all reasonable steps to comply with the standards to the greatest extent reasonably practicable.

## Moisture ingress and drainage

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### What is the moisture and drainage standard?

The moisture ingress and drainage standard places three minimum requirements for rental properties, they are:

- Efficient drainage for the removal of storm water, surface water and ground water.
- Gutters, downpipes and drains for the removal of roof water are in place; and
- The subfloor cavity, *if enclosed*, has a ground moisture barrier installed.

### What are the specific exemptions to the moisture and drainage standard?

There is one exemption that applies specifically to the requirement to install a ground moisture barrier under the moisture and drainage standard, it is:

- Where it is not reasonably practicable to install a ground moisture barrier.

This is in addition to the general exemptions:

- where the landlord intends to demolish or substantially rebuild the home within 12 months
- for 12 months from the date the tenancy commences, if the tenant is the former owner of the home
- where a rental property is part of a building and the landlord does not own the entire building, a landlord can be partially exempt from complying with parts of the standards. However, a landlord will still have to take all reasonable steps to comply with the standards to the greatest extent reasonably practicable.

### When is it not 'reasonably practicable' to install a ground moisture barrier?

We are still working through the details, however it is expected that several scenarios could mean that it is not 'reasonably practicable', such as the subfloor space not being accessible or due to the nature of the building it is not possible or reasonable to expect a ground moisture barrier be installed.

There will be guidance made available on the standards to provide several examples and explanations of when a property may or may not be exempt from the standard.

### **Why is there a moisture and drainage standard?**

Moisture entering the home can lead to dampness and mould. Subfloor moisture is potentially a large source of dampness in a home. This dampness can lead to poor health outcomes for tenants and can be destructive to the quality of a house. Therefore this standard has been introduced to reduce the amount of dampness in rental homes.

### **When is a sub-floor space considered 'enclosed'?**

The definition of enclosed for this standard is where the air flow in and out of the subfloor space is obstructed along at least 50% of the subfloor perimeter by one or more of the following:

- a masonry foundation wall; or
- other claddings such as cement board or a solid timber skirt; or
- attached structures, such as a garage or carport; or
- earth; or
- any other solid obstruction to air flow.

### **I have subfloor vents, will I still need to install a ground moisture barrier?**

Yes, if the subfloor space is enclosed then you will have to install a ground moisture barrier. Even with vents there will be a benefit from the installation of a ground moisture barrier. This will also remove the complication or testing the adequacy or functionality of the ventilation.

### **What do you mean by ground moisture barrier?**

[New Zealand Standard NZS4246](#) section 8 outlines the requirements for a ground moisture barrier or an 'on-ground vapour barrier'. The standard outlines a ten-step set of instructions on how to install a ground moisture barrier. NZS4246 is sponsored and therefore available to the public to view for free, online. You may choose to purchase a hard copy of the standard from Standards New Zealand.

Generally the barrier is a polythene sheet that can be bought from most building materials retailers. It can be installed by a house owner or any building professional.

**END**