

AH 21 103

18 November 2021

Associate Minister of Housing (Public Housing)  
cc: Vui Mark Gosche, Board Chair

## **Addressing disruptive behaviour and sustaining tenancies**

### **Purpose**

This paper provides you with information about how Kāinga Ora – Homes and Communities supports our public housing customers, including a discussion on its disruptive behaviour policy. This paper also provides you with an overview of recent cases that have featured in the media (Appendix A).

### **Kāinga Ora has focused on sustaining tenancies since 2017**

Since 2017, Kāinga Ora has focused on supporting our public housing customers to help them sustain their tenancies. We have shifted from a one-size-fits-all approach to focusing on delivering personalised services.

The time, effort, and skill involved in building strong relationships and serving our customers depend on their needs, their ability to independently access support, and their willingness to interact with us. The higher the need, the more time, skill, and effort is required.

### **The Customer Programme is improving our ability to support our customers**

We have undertaken work to understand our customers and what they need to live well in their homes. Through the Customer Programme we have identified the need to deliver organisational changes to enable our people to have the time and capacity to build and maintain positive relationships with customers and provide the level of support they require as part of the Sustaining Tenancies approach. In broad terms, the changes look to modernise our service delivery model to provide a more holistic and personalised service to address both the specific whānau housing and personal support needs and respond to the intensity of those needs.

Our people will have reduced portfolio sizes, increased engagement with potential customers, and the ability to learn from our customers what home and community will be a good fit.

There are four key service outcomes:

- A suitable house match: ensuring Kāinga Ora has the right information to make good placement decisions, and when offering the home both Kāinga Ora and the customer or whānau are satisfied, the property meets their needs and supports a sustainable tenancy.

- Help to settle in: Kāinga Ora helps its customers and whānau through the process of preparing to move, the move itself, and settling into their new home and community.
- Provide fit-for-purpose homes: Kāinga Ora delivers quality services to customers and whānau, particularly focused on maintenance, inspections, account and issue management, meeting legislative obligations.
- Provide and coordinate support to live well: Kāinga Ora builds its relationships with customers and whānau to understand their circumstance and goals, and jointly agree how they can be supported and/or connect them with those who can.

### **Disruptive Behaviour Policy outlines how we sustain tenancies**

The Disruptive Behaviour Policy is one of a suite of new policies within our Sustaining Tenancies Framework. While the policy itself is new, it reflects the way our people have been responding to support customers with challenging behaviour issues. The policy outlines the following principles that guide our approach:

- We build trusted, respectful relationships with our customers and communities and seek to understand their wider circumstances, supporting the customer to address the root cause of issues where we can.
- We seek to prevent issues arising in the first place through early intervention and engagement.
- We engage with individual customers and their whānau in a way that works for them.
- We work with our customers to develop meaningful, empowering goals for which they are accountable and willing to take steps to achieve.
- We provide access to support services where necessary, working with customers to access the support of other agencies or specialist support services where required.

An important new aspect of the policy is the establishment of a Review Group to serve as a forum for Kāinga Ora people to escalate difficult and complex issues where further action or guidance is required.

The Review Group assesses individual cases, ensuring that they are managed in a fair, reasonable and consistent way, and that our people have taken all reasonable steps when working with a customer before further action is recommended. The group also informs operational improvements and the need for additional training or support for our people and customers.

Examples of situations where the Review Group is required include customers who are unwilling to work with Kāinga Ora to stabilise their tenancies, or actions that place the safety of neighbours, contractors, or Kāinga Ora people at risk.

## **Addressing disruptive behaviour in a holistic way**

Kāinga Ora provides public housing to a wide range of customers, some of whom are experiencing complex and challenging life circumstances. While the vast majority of Kāinga Ora customers are good neighbours and members of their communities, there are a very small number who can be challenging and require greater support to live well. By helping our customers stay in their homes, they have a secure foundation from which they can get the support they need.

As a public organisation, Kāinga Ora has a duty to act fairly, reasonably, and lawfully. We apply the principles of natural justice when working to resolve issues with our customers, ensuring all parties have the opportunity to be heard, have access to information concerning their tenancy and decision-makers are free from bias.

Kāinga Ora has a role to provide a home for people most in need and inevitably that role can present challenges. Many issues we come across do not meet the threshold of illegal behaviours. While these can be challenging to live besides, Kāinga Ora will seek to identify the root cause of any issues as they arise, and tailor our approach in a way that works for each individual and their whānau.

We do this by working with other agencies and community providers where appropriate, assisting our customers to access the right supports at the right time. We have strong working relationships with specialist support agencies, local councils, relevant community groups, and other customers. Appendix B outlines example where we have worked intensively with our customer and they have experienced positive outcomes.

In some cases, sustaining a tenancy is not in the best interests of the customer or the wider community. In such instances, the customer will be offered alternative housing, most often another Kāinga Ora home that better meets their needs. In some very limited circumstances the alternative accommodation may be with another housing provider or provider of specialist care in the community.

Customers that agree to move to another home acknowledge that this will help them make a fresh start. They can utilise support services where necessary, and live well in their new homes. In the last 12 months, where disruptive behaviour was a concern, Kāinga Ora moved 159 people to a home where they could sustain their tenancy.

Additionally, Kāinga Ora works closely with Police in respect to illegal behaviour involving Kāinga Ora premises or customers. Behaviour that is in breach of laws or by-laws is reported to the appropriate authority (e.g. Local Government), as the jurisdiction for dealing with illegal behaviour lies with those authorities.

## **Ending a tenancy is a last resort**

While Kāinga Ora has the legal right to end a tenancy, this step is not taken lightly. Ending a tenancy can often result in worse long-term outcomes for the customer, their families, and those around them. This may include moving away from support networks of friends and whānau, and uprooting children from education. It also creates a reliance on emergency housing and ultimately does more harm than good.

Eviction is rare and only occurs when a person refuses to engage with Kāinga Ora to find an alternative solution, such as moving to another Kāinga Ora property. When all other options have been exhausted, and the person refuses to leave the property, a court bailiff

and occasionally the police become involved after the Tenancy Tribunal has ended the tenancy. This process sometimes means that the person will need to be removed from the property and the locks immediately changed. The last eviction took place in 2018 and was due to fraud.

### **The number of disruptive behaviour complaints is declining**

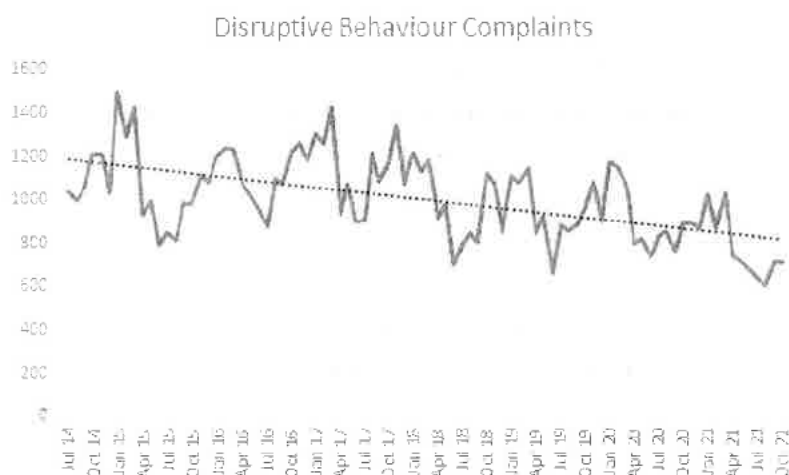
When Kāinga Ora receives a complaint about disruptive behaviour, we use this as an opportunity to check-in with the customer and understand what challenges or issues the whānau may be experiencing that may be causing the behaviour, and what support needs they may have as a result. In many instances following the check-in, we may discover that the complaint is unsubstantiated, a duplication, or already resolved.

For example, an unsubstantiated disruptive behaviour complaint may include children playing in a communal driveway, or music played at a reasonable volume during the day. There may also be instances of disruptive behaviour that is not ongoing, such as multiple complaints about one loud party, which can be resolved simply through a conversation with the customer. In other cases, disruptive behaviour is resolved quickly after we receive the complaints, such as when a whānau takes objection to the disruptive behaviour of a guest or visitor and immediately requires them to leave the home.

Sometimes we encounter situations where our customers are victims of harassment, where complaints are made against them that are frequent, unsubstantiated, misleading, or false. When this happens, we will work with our customer and the complainant to support them to repair their relationship to stop the harassing behaviour. However, sometimes the best action is to relocate them to another home.

For example, one tenant had 75 complaints made against them by their Kāinga Ora neighbour. In some instances, multiple complaints on the same day about the same matter including noise coming from inside the property, customer doing woodwork, and swearing. We recognised that these were likely vexatious in nature and relocated the neighbour. The complaints stopped and the customer is now living well in their new home.

Complaints about disruptive behaviour occurring in Kāinga Ora homes has been steadily declining since 2014. The month of July 2021 recorded the lowest number of monthly complaints in the last seven years.



Note: complaints were previously recorded as antisocial behaviour.

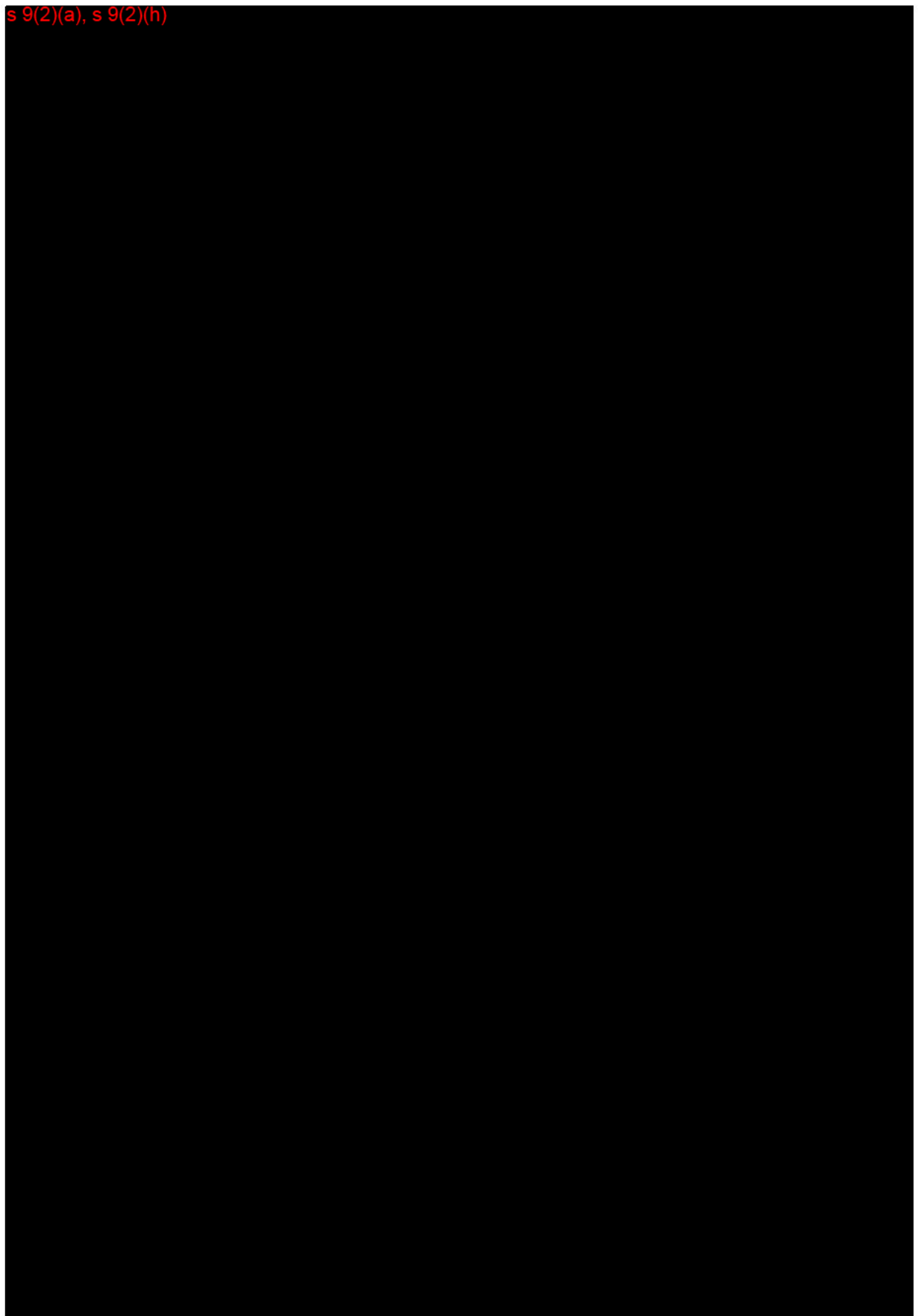
Our sustaining tenancies approach and Customer Programme will help see this trend decline even further, enabling our customers, and their neighbours, to enjoy living in their homes and communities.

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A handwritten signature in black ink, appearing to read 'A. McKenzie', with a long horizontal stroke extending to the right.

Andrew McKenzie  
**Chief Executive**

s 9(2)(a), s 9(2)(h)



s 9(2)(a)

