



12 February 2024

HUD2024-003542

s 9(2)(a)

Tēnā koe s 9(2)(a)

Thank you for your email of 12 January 2024 requesting the following information under the Official Information Act 1982 (the Act):

I am requesting any internal/external guidance relating to s5B of the Residential Tenancies Act that you may have. As a priority, I would also like to have anything that relates specifically to a definition of the services covered in s5B(2). If it is not information you have, no worries.

As you are aware, the Residential Tenancies Act 1986 (the Act) does not apply to certain types of student accommodation, such as halls of residence and student hostels. In these situations, the accommodation provider must have house rules. The accommodation provider must make sure the student tenants are aware of and have access to copies of the house rules.

The Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021, administered by the New Zealand Qualifications Authority, sets out what education providers must do to ensure the wellbeing and safety of their learners. Part five of the code specifically details the requirements for tertiary education accommodation providers. You can find the Code at www2.nzqa.govt.nz/tertiary/the-code/.

In 2021, Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development supplied information to support the inquiry into student accommodation that was held by Parliament's Education and Workforce Committee. This letter provides a significant amount of information about section 5b of the RTA and student accommodation: www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCEW_ADV_98038_EW1734/ministry-of-housing-and-urban-development-inquiry-into.

You have the right to seek an investigation and review of my response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website at: www.ombudsman.parliament.nz.

As part of our ongoing commitment to openness and transparency, the Ministry proactively releases information and documents that may be of interest to the public. As such, this response, with your personal details removed, may be published on our website.

Nāku noa, nā

Claire Leadbetter
Manager Tenancy and Tenures