



**Policy Name:** Pensioner Housing Policy

**Person Responsible:** Policy Analyst      **File Reference:** H07.03

**Category:** Property      **Status:** FINAL

**Date Policy Adopted:** 10 August 2010      **Approval By:** Council

**Review Period:** Tri-annually      **Next Review Due By:** 2013

**Supersedes** TENANCY - POLICY ON COUNCIL FLATS

## Background

Wairoa District Council has a long standing commitment to providing housing for the elderly residents, who through personal circumstances, are unable to rent accommodation in the private market.

Council currently manages and maintains 32 residential units on six sites located in the Wairoa Township.<sup>1</sup>

## Purpose

The purpose of the pensioner housing policies is to provide clear guidelines in the following key areas:

- Eligibility for tenancy
- Administration of Waiting Lists
- Rents, Rent Collection and Rent Arrears.
- Maintenance and Upgrading
- Grievance Mechanisms

This policy supersedes all existing Council policies<sup>2</sup> relating to Pensioner Housing.

## Principles

The principles underlying this policy are:

- That there is a genuine need for long-term affordable accommodation for the elderly and Wairoa District Council has a role in meeting this need.
- That the Council's pensioner housing units shall continue to be available for rental at below private market rentals.

## Definitions

"Elderly" are those people aged 65 or over, but may include younger persons 55 years and older if they have a medical condition, and they are on an age related benefit or similar.<sup>3</sup>

"Pensioner Housing" refers to residential accommodation for a person or persons of an age that is eligible for the national pension.

## ***Policy:***

The Pensioner Housing policy is comprised of the following policies:

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<sup>1</sup> Wairoa District Council LTCCP 2009- 2019 – Pensioner Housing Activity Management Plan

<sup>2</sup> Existing Council Policies – Tenancy Policy (1993) & Pensioner Housing Rentals Policy (2001)

<sup>3</sup> Definitions for older person or elderly fall into three main categories: 1) chronology; 2) change in social role (i.e. change in work patterns, adult status of children and menopause); and 3) change in capabilities (i.e. invalid status, senility and change in physical characteristics).

## 6.1

<b>Pensioner Housing - Eligibility for Tenancy</b>	<b>FILE</b>	H07.03
	Approval Date:	10 August 2010
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Responsible Officer: Administration Manager	Expiry Date:	31 December 2013
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### 1. **Applicants**

- a) The prospective applicant for tenancy of a pensioner unit shall be determined by application and assessed in accordance with eligibility criteria.
- b) All applicants must be a New Zealand citizen or be permitted to reside here in New Zealand, have an urgent need for accommodation due to their current circumstances and have family living within the Wairoa District that can support their tenancy.
- c) Council will use a priority based eligibility scale to determine suitability of prospective tenants.

### 2. **Priority one eligibility criteria**

- a) In order to be given this priority the applicant must satisfy all of the following criteria:
  - i) Must be 65 years of age or older (being the age eligible for a pension in New Zealand) and be retired from full time work; **and**
  - ii) The applicant's primary source of income is from a permanent New Zealand / Overseas age related benefit:
    - o National Superannuation
    - o War Disablement Pension
    - o New Zealand Veterans Pension **and**
  - iii) The combined value of the applicant's assets (excluding car, furniture and personal household effects) must not exceed the figures below:
    - o Single person \$20,000
    - o Couple \$30,000 **and**
  - iv) Assets may include cash in the bank, shares, trusts, investments or any other property of value (but excluding car, furniture and personal households effects); **and**
  - v) In the case of a couple, both partners must meet all of the eligibility criteria.

- b) Applicants who do not satisfy the Priority One criteria on the grounds of age (younger than 65 years) or main source of income (a non-age related benefit) may qualify for a place in a pensioner unit if they satisfy the Priority two criteria.

### **3. *Priority two eligibility criteria***

- a) In order to be given this priority the applicant must satisfy all of the following criteria:
- i) Must be 55 years of age or older and be retired from full time work. **and**
  - ii) The applicant's primary source of income is from a permanent New Zealand / Overseas benefit other than an age related benefit, including
    - o Sickness Benefit
    - o Invalids Benefit
    - o ACC Payment **and**
  - iii) The combined value of the applicant's assets (excluding car, furniture and personal household effects) must not exceed the figures below:
    - o Single person \$20,000
    - o Couple \$30,000 **and**
  - iv) Assets may include cash in the bank, shares, trusts, investments or any other property of value (but excluding car, furniture and personal households effects) **and**
  - v) In the case of a couple, both partners must meet all the eligibility criteria.

### **4. *Individual Merits***

- a) Applicants who do not satisfy any of Priority One or Priority Two criteria may still be considered individually on the merits of their application.
- b) The acceptance (or otherwise) of applications remains at the full discretion of the Council. Wairoa District Council reserves the right to decline any application that does not meet the criteria.
- c) All of the pensioner units are designed for independent living. Priority One applicants may require a recent medical certificate relating to applicant's health and their ability to care for themselves independently.

### **5. *Changes to Eligibility during Tenancy***

- a) Council reserves the right to re-evaluate the tenancy of successful applicants should Council become aware of any changes to the tenant's income source and/or value of assets. In particular:
- o Change of income source - from receiving a benefit to paid employment
  - o Change to value of assets – asset value exceeds stated thresholds

## 6.2

<b>Pensioner Housing - Waiting Lists</b>	<b>FILE</b>	H07.03
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### 1. **Administration of Waiting Lists**

- a) Where the number of eligible applicants (refer to Policy No.1) exceeds the number of units available, a waiting list will be maintained by Council and shall be kept at the Council offices.
- b) The list shall be kept up to date, and those on the list will be contacted at regular intervals, or as required, so as to verify that all applicants still wish to remain on the list and also update their applications if the situation has changed.

### 6.3

<b>Pensioner Housing - Rents, Rent Collection and Rent Arrears</b>	<b>FILE</b>	H07.03
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#### 1. **Rents**

- a) Rents are set out in the Fees and Charges section of the 2009-2019 LTCCP.
- b) Any changes to rents will be approved in accordance with the provisions of the Local Government Act 2002.

#### 2. **Rent Collection**

- a) Tenants are required to pay two weeks' rent in advance on being accepted for a pensioner unit.
- b) Rent shall be paid by the tenant, or on behalf of the tenant, fortnightly in advance by way of automatic payment.
- c) Council will record all rent payments, which will be credited against the Tenant's rent account.

#### 3. **Arrears Management**

- a) All arrears are governed by the Residential Tenancies Act 1986.
- b) All rent arrears will be brought to the attention of the tenant in writing.
- c) Where rent arrears are outstanding for a period of 2 weeks, Council will arrange recovery of rent arrears by means of direct deductions from the tenant's WINZ payments.
- d) Where rent arrears remain outstanding and/or ongoing in excess of 3 months, Council will refer the matter to the Tenancy Tribunal for resolution in accordance with the Residential Tenancies Act.

## 6.4

<b>Pensioner Housing - Maintenance and Upgrading Procedures</b>	<b>FILE</b>	H07.03
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### 1. **Management**

- a) The day to day administration of pensioner housing is carried out by the Administration Department of the Council, with contract and maintenance works overseen by the Engineering Department preferred methods.
- b) In the case of tenants placed in Council's pensioner units at the referral of another service provider, Council reserves to right to manage the pensioner units in a manner that is to the benefit of Council approved tenants
- c) The Council may consider alternative arrangements or partnerships for the future administration and management of pensioner units if it is in the best interests of tenants and is cost-effective.

### 2. **Maintenance**

- a) Council will maintain the housing stock to a standard consistent with –
  - *Providing a safe, healthy and pleasant environment for its tenants;*
  - *Promoting tenants' independence and ability to 'age in place';<sup>4</sup>*
- b) Annual inspection of all units will be undertaken, with repairs completed and chattels that are the responsibility of Council replaced as required. Tenants will be advised throughout the process.
- c) Council does not take any responsibility in making payment for any works done at the request of the service provider, unless an agreement on payment has been reached prior to commencement of the work.
- d) 'Fair Wear and Tear' of the pensioner units is accepted HOWEVER, in the case of deliberate damage caused by tenants, all costs relating to the repair of the damage caused shall be charged to the tenant.

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<sup>4</sup> Wairoa District Council LTCCP 2009- 2019 – Pension Housing Activity Management Plan

## 6.5

<b>Pensioner Housing - Grievance Mechanism</b>	<b>FILE</b>	H07.03
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### **1. Grievance in regards to Policies**

- a) A tenant who has a grievance regarding any aspect of the Pensioner Housing policies, may state the grievance in writing or in person to the Administration Manager. Upon receipt of the grievance the following procedure will be followed:
  - i) Initially, the Chief Executive Officer, or delegate, will meet with the aggrieved in an informal manner in an effort to resolve the grievance and reach a mutually acceptable agreement.
  - ii) If this fails, the Chief Executive Officer, or delegate, will convene a Grievance Committee, comprising of two people. This Committee will be able to be approached by the Tenant(s) in a further effort to resolve the matter in an informal manner.
  - iii) If the matter cannot be resolved through the process in (ii) above, it will be deferred to the Residential Tenancies Tribunal for formal mediation.
  - iv) If processes (i) to (iii) prove unsuccessful the matter may be referred to a Court of Law for final resolution.
- b) Within each stage, a decision must be made and the Tenant notified within ten working days. The decision may be to resolve the issue or to advance to the next stage in the process.
- c) All grievance procedures will be recorded for public scrutiny and to enable a precedent to be set should a similar case arise.



## 6.6

<b>Sundry Tenancy Matters</b>	<b>FILE</b>	H07.03
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### 1. ***Smoking in Pensioner Units***

- a) The Council does not support cigarette smoking. As at the adoption date of this policy tenants will not be permitted to smoke within the units. This will not apply to tenants who were occupying units prior to the adoption of this policy. However, for these existing tenants, planned refurbishments will be undertaken (approximately every seven years) only if the tenant agrees not to smoke in the unit, or to allow others to do so.

### 2. ***Animals***

- a) It is not Council policy to allow tenants to have pets. However, a small animal such as a bird, cat or small dog may be permitted with the Council's consent provided that any such animal must be well behaved, and properly cared for so they do not pose a nuisance to other tenants. Tenants are limited to one animal only and in the case of a cat or a dog, the animal must be neutered or spayed.