

# Policy

## ELDERLY PERSONS HOUSING

<b>TEAM:</b>	Property
<b>RESPONSIBILITY:</b>	Property Manager
<b>ADOPTED:</b>	18 <sup>th</sup> December 2024
<b>REVIEW:</b>	Three years or as required.
<b>CONSULTATION:</b>	Minimum of Section 82 under the Local Government Act 2002, if required
<b>RELATED DOCUMENTS:</b>	Local Government Act 2002, Residential Tenancies Act 1986, Residential Tenancies Amendment Act 2020, Privacy Act 2020, Human Rights Act 1993.

### Policy Objective

- To provide clear guidelines on tenant eligibility for persons wanting to live in Council owned elderly persons housing.
- To provide guidelines for the level of rental, with the intention of the facilities becoming self-funding.
- To ensure Council meets its statutory obligations with respect to tenancies.
- To outline how Council will provide elderly persons housing in Ashburton District.

### Definitions

**Assets** includes cash, investments, house and other property (but not including a car, furniture, personal effects, and any Kiwisaver or government recognised superannuation funds).

**Council** means Ashburton District Council.

**Council Officer** means any officer of the Council or any other authorised person carrying out work on behalf of the Council.

**Disability Assist dog** has the same meaning as section 2 of the Dog Control Act 1996 and generally means any dog certified to assist a person with a visual, hearing, mobility or other disability.

**Elderly** means those people aged 65 or over but may include persons 60 years and older if they have a medical condition and they are on a permanent invalids benefit or similar.

**Elderly Persons Housing (EPH)** means housing owned and managed by the Council for the purposes of meeting elderly housing needs in Ashburton District. Elderly Persons Housing is not considered social housing.

**Smoking** includes the use of e-cigarettes (commonly known as vaping), cigarettes, cigars, pipes or any other smoking device.

**WINZ** means Work and Income New Zealand Te Hiranga Tangata, the social services provider.

**Affordable rent** for the purpose of this policy is a rental set at no more than 80% of market rate.

## Policy Statement

### 1. Eligibility criteria

1.1 Those applying to reside in elderly persons housing shall meet all of the following criteria:

- 1.1.1 Be eligible for Government National Superannuation OR aged 65 (for a couple only one applicant).
- 1.1.2 Have additional income below the current gross income limit for the WINZ accommodation supplement.
- 1.1.3 Be able to care for themselves independently at the time of application. The use of home-based support services does not mean applicants are automatically excluded.
- 1.1.4 Show a housing need which cannot be met adequately elsewhere.
- 1.1.5 Total assets, including cash, investments, house and other property (but not including a car, furniture and personal effects) does not exceed the accommodation supplement limits set by WINZ.
- 1.1.6 Be compatible with other EPH residents, in the opinion of the Council officer.
- 1.1.7 Be a New Zealand citizen, have permanent residency, or hold a visa granting the right to reside in New Zealand.

### 2. Change in circumstances

2.1 All residents shall notify Council on becoming aware of their eligibility criteria changing.

2.2 Where it is suspected that there are existing or impending eligibility issues for medical, physical or mental health reasons, the Council, in the first instance, will contact the tenants nominated emergency contact who can facilitate the provision of the appropriate social service support.

2.3 Following consultation with the tenants nominated emergency contact and appropriate social service, if the tenant is clearly unable to meet the eligibility on an ongoing basis, Council will work with the tenant to assess alternative options.

### **3. Priority**

3.1 Applications will be accepted, and considered in the following priority order:

- 3.1.1 Current residents of Ashburton District
- 3.1.2 Those with family in the Ashburton District
- 3.1.3 Past residents of Ashburton District
- 3.1.4 Other applicants.

### **4. Application process**

- 4.1 Council Officers will assess applications for elderly persons housing against the criteria listed in 1.1. Applicants will be required to sign a statutory declaration as part of the application process.
- 4.2 Applicants will be advised of the outcome within 10 working days of the application being submitted to Council.
- 4.3 Applicants will be notified of the status of their application by letter as to whether or not a unit is available.
- 4.4 Where there are no available units, applicants will be added to a waiting list.

### **5. Dispute resolution**

- 5.1 In the event of a dispute, resolution will be sought in accordance with the Residential Tenancies Act 1986.

### **6. Smoking**

- 6.1 Smoking, including the use of e-cigarettes, is not permitted inside the elderly persons housing units. This applies to both tenants and visitors.

#### **6.2 New tenancy agreements**

All new tenancy agreements will contain a clause stating that smoking, including the use of e-cigarettes, is banned.

### **7. Animals**

- 7.1 Council recognises that some tenants may wish to keep small pet animals in their units.
- 7.2 Council officers will determine if the type of animal is appropriate based on the potential level of nuisance caused by that animal.
- 7.3 Dogs will not be permitted under any circumstances, excluding disability assist dogs.
- 7.4 Tenants wishing to keep animals (including cats) in elderly persons housing must make a request in writing to Council.
- 7.5 Council officers will consider the request and advise the applicant within 10 working days.
- 7.6 Any animal kept in elderly persons housing must be well behaved and properly cared for so they

do not pose a nuisance to other tenants, or neighbours.

7.7 Tenants wanting to keep a cat must provide Council with a copy of a desexing certificate and proof of vaccinations for their cat.

## 8. Rent charges

8.1 Council will review rental levies on an annual basis.

8.2 Rent is charged per unit i.e. there are set rates for a single and double unit. If a single person is occupying a double unit, double unit rates will still apply.

8.3 Any rental levy increases will take effect in each new financial year, on the date corresponding to when the tenancy agreement was signed.

### 8.4 New and existing tenants:

8.4.1 **1-16 Friendship Lane, Ashburton Units:** Rent levies for Friendship Lane units (1-16) will be charged at 80% of market rate for the unit and will increase on an annual basis based on a levy set at 80% of the market rate.

8.4.2 All tenants in units excluding 1-16 Friendship Lane will be subject to progressive rent increases until 2027/28, as listed below.

8.4.3 Rental levies for units excluding 1-16 Friendship Lane are as follows:

	2024/25	2025/26	2026/27	2027/28
<b>Single</b>	\$140.00	\$150.00	\$160.00	\$170.00
<b>Double</b>	\$160.00	\$170.00	\$180.00	\$190.00

## 9. Welfare

9.1 Council acknowledges its role as landlord, and as such, will be accessible and diligent towards the general welfare of tenants.

9.2 It is not the responsibility of Council to provide social services to the tenants as these services are better provided by other professional service providers.

9.3 Where Council officers are concerned about the health or welfare of any tenants, the next of kin/emergency contact will be contacted in the first instance.