



COVID-19: Information for tenants and landlords

26 March
2020

A nationwide freeze on rent increases applied from 26 March to 25 September 2020. Landlords can give rent increase notices to take effect on or after 26 September, subject to the new rent increase rules under the Residential Tenancies Amendment Act 2020.

Landlords can currently terminate tenancies in accordance with the usual termination rules. There were restrictions against tenancy terminations previously in place which applied to the period between 26 March to 25 June. These are no longer in effect. Please note that the frequently asked questions (FAQs) for Alert Level 4 have not yet been updated to reflect this.



Find out what each alert level means for your tenancy:

Please note that the rules for alert levels are subject to change. These rules are up to date as of 25 September 2020.

Alert Level 1

- The rent increase freeze applied until 25 September 2020. Landlords can issue a rent increase notice to take effect on or after 26 September 2020, subject to the usual notice requirements.
- Note that from 12 August 2020, landlords cannot increase rent within 12 months of the commencement of the tenancy or the last rent increase.
- No additional restrictions on moving house, property viewings (including open homes), or maintenance and inspections apply.

Alert Level 2

- The rent increase freeze applied until 25 September 2020. Landlords can issue a rent increase notice to take effect on or after 26 September 2020, subject to the usual notice

requirements.


- Note that from 12 August 2020, landlords cannot increase rent within 12 months of the commencement of the tenancy or the last rent increase.
- Tenants can move house, including between different alert level areas.
- Property viewings (including open homes), and maintenance and inspections can occur if these take place within an Alert Level 2 area. Everyone must follow guidelines set out at <https://covid19.govt.nz/covid-19/restrictions/alert-level-2/> (<https://covid19.govt.nz/covid-19/alert-system/alert-level-2/>) . This includes physical distancing, record keeping (including displaying QR codes as appropriate), and hygiene practices.

Rent increase freeze and tenancy terminations

What changes are in place to tenancy laws?

On 23 March 2020, the Prime Minister announced a freeze on residential rent increases and limits on tenancy terminations in response to COVID-19. These took effect from 26 March 2020.

The limits on tenancy terminations have now expired, which means that the usual Residential Tenancies Act 1986 provisions apply. Please see the Tenancy Services website for [information on when tenancies can be terminated](#) (<https://www.tenancy.govt.nz/ending-a-tenancy/giving-notice-to-end-tenancy/>) .

The freeze on residential rent increases remains in place up to and including 25 September 2020. Landlords can give rent increase notices to take effect on or after 26 September 2020, subject to the new rules under the Residential Tenancies Amendment Act 2020. 

Moving to a new house

Can a tenant move from an Alert Level 3 region to a Level 2 area?

Yes. Tenants can move from an Alert Level 3 area to an Alert Level 2 area if they are moving into a new home. Tenants should bring documents with them that show that they are moving house (for example, the tenancy agreement), if possible. [Find out more about regional travel guidelines and rules.](#)

(<https://covid19.govt.nz/travel-and-the-border/travel-within-new-zealand/regional-travel/>)

Can a tenant move from an Alert Level 2 region to Level 3 area?

Yes. Tenants can move from an Alert Level 2 area to an Alert Level 3 area if they are moving into a new home. Tenants should bring documents with them that show that they are

moving house (for example, the tenancy agreement), if possible. [Find out more about regional travel guidelines and rules.](#)

(<https://covid19.govt.nz/travel-and-the-border/travel-within-new-zealand/regional-travel/>)

Can a tenant receive help from friends and family or removal companies to move into a new rental property?

If tenants are moving within the same alert level area, removal companies will be able to assist with moving, with some conditions. Movers will have to comply with physical distancing rules and should keep records for contact tracing purposes.

If tenants are moving between alert level areas, removal companies will be able to assist with moving if they have applied for and received an exemption from the Ministry of Health to travel into or out of the Alert Level 3 area.

Friends and family can travel with a tenant who is moving, including between different alert level areas, to help the tenant with the move. If they do not live with the tenant, we recommend keeping records for the purposes of contact tracing. We recommend that personal hygiene and surface cleaning are still adhered to and that physical distancing is followed as much as possible.

Can a tenant move tenancies if they are self-isolating with a suspected/confirmed case of COVID-19?

Tenants should follow Ministry of Health guidelines and stay self-isolated in their current property until they are recovered if possible.

During the COVID-19 response and recovery, landlords and tenants are encouraged to work together and take care of each other wherever possible, to try to come to an arrangement that suits them both.

Can landlords and property managers still hold rental place viewings at Alert Level 2?

Yes. Open homes are permitted under Alert Level 2 with the tenant's consent as long as the guidance on physical distancing, personal hygiene and surface cleaning for Alert Level 2 is observed. Records should be kept for contact tracing purposes.

We recommend the following records are kept for every person who enters the open home/rental viewing:

- The person's name;
- The date and time they entered the property; and
- Their telephone number.

We also recommend that a QR code is displayed in a prominent place at or near the main entrance of the property.

Tenants who live within an Alert Level 3 area will not be able to view properties in person within an Alert Level 2 area until they move into the Alert Level 2 area.

Can a vacant rental property be cleaned for the new tenants?

Yes. Under Alert Level 2, properties can be cleaned by professional or self-employed cleaners. Cleaners must maintain workplace safety protocols around physical distancing and personal hygiene practices when in clients' homes and keep records for contact tracing purposes.

Inspections and maintenance

Can rental properties be inspected?

Yes. Routine inspections of rental properties can take place under Alert Level 2. Landlords and tenants should adhere to physical distancing, personal hygiene and surface cleaning rules and should keep records for contact tracing purposes.

Tenants cannot unreasonably refuse an inspection, however for those who are considered vulnerable, that could be reasonable grounds for refusal. The list of health conditions that are considered vulnerable and most at risk of severe illness from COVID-19 can be found on the found the Ministry of Health website

(<https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-information-specific-audiences/covid-19-advice-higher-risk-people>)

Can repairs and maintenance be done on a rental property?

Under Alert Level 2 all maintenance can be undertaken. This includes professional services such as plumbers, electricians and tradespeople who can work on, and inside rental properties. Physical distancing and hygiene rules must be followed when inside homes and records should be kept for contact tracing purposes. Landlords should obtain tenant consent before maintenance is undertaken.

Tenancy Tribunal

Is the Tenancy Tribunal still operating at this time?

Yes. Hearings will continue, complying with arrangements set out by the Chief Justice.

Alert Level 3

- The rent increase freeze applied until 25 September 2020. Landlords can issue a rent increase notice to take effect on or after 26 September 2020, subject to the usual notice requirements.
- Note that from 12 August 2020, landlords cannot increase the rent within 12 months of the commencement of the tenancy or the last rent increase.
- Everyone needs to comply with regional travel restrictions. Everyone must also follow guidelines set out at <https://covid19.govt.nz/covid-19/restrictions/alert-level-3/> (<https://covid19.govt.nz/covid-19/restrictions/alert-level-3/>). This includes physical distancing, record keeping (including displaying QR codes), and hygiene practices. If these guidelines can be complied with:
 - Tenants can move house, including between different alert level areas.
 - Rental property viewings can occur within the Alert Level 3 area. We recommend that open homes where multiple people view the property do not occur. If the property is currently tenanted, the viewing should occur when the current tenant is not at the property.
 - Property inspections could happen virtually if the tenants agree. We recommend that in person inspections should only happen in emergency situations, for example, if the landlord needs to confirm that emergency maintenance is required.
 - Emergency property maintenance can occur.

Rent increase freeze and tenancy terminations

What changes are in place to tenancy laws?

On 23 March 2020, the Prime Minister announced a freeze on residential rent increases and limits on tenancy terminations in response to COVID-19. These took effect from 26 March 2020.

The limits on tenancy terminations have now expired, which means that the usual Residential Tenancies Act 1986 provisions apply. Please see the Tenancy Services website for [information on when tenancies can be terminated](https://www.tenancy.govt.nz/ending-a-tenancy/giving-notice-to-end-tenancy/) (<https://www.tenancy.govt.nz/ending-a-tenancy/giving-notice-to-end-tenancy/>).

The freeze on residential rent increases remained in place up to and including 25 September 2020. Landlords can give rent increase notices to take effect on or after 26 September 2020, subject to the new rules under the Residential Tenancies Amendment Act 2020.

Moving to a new house

Can a tenant move from an Alert Level 3 region to a Level 2 region?

Yes. Tenants can move from an Alert Level 3 area to an Alert Level 2 area if they are moving into a new home. Tenants should bring documents with them that show that they are moving house (for example, the tenancy agreement), if possible. [Find out more about regional travel guidelines and rules.](#)

(<https://covid19.govt.nz/travel-and-the-border/travel-within-new-zealand/regional-travel/>)

Can a tenant move from an Alert Level 2 region to Level 3 region?

Yes. Tenants can move from an Alert Level 2 area into an Alert Level 3 area if they are moving into a new home. Tenants should bring documents with them that show that they are moving house (for example, the tenancy agreement), if possible. [Find out more about regional travel guidelines and rules.](#)

(<https://covid19.govt.nz/travel-and-the-border/travel-within-new-zealand/regional-travel/>)

Can a tenant receive help from friends and family or removal companies to move into a new rental property?

If tenants are moving within the same alert level area, removal companies will be able to assist with moving, with some conditions. Movers will have to comply with physical distancing rules and should keep records for contact tracing purposes.

If tenants are moving between alert level areas, removal companies will be able to assist with moving if they have applied for and received an exemption from the Ministry of Health to travel into or out of the Alert Level 3 area.

Friends and family can travel with a tenant who is moving, including between different alert level areas, to help the tenant with the move. If they do not live with the tenant, we recommend keeping records for the purposes of contact tracing. We recommend that personal hygiene and surface cleaning are still adhered to and that physical distancing is followed as much as possible.

Can a tenant move tenancies if they are self-isolating with a suspected / confirmed case of COVID-19?

Tenants should follow Ministry of Health guidelines and stay self-isolated in their current property until they are recovered if possible.

In these unprecedented times, landlords and tenants are encouraged to work together and take care of each other wherever possible, to try to come to an arrangement that suits them both.

Can landlords and property managers still hold rental place viewings at Alert Level 3?

We recommend that open homes do not occur under Alert Level 3 but in-person viewings can happen for vacant and occupied properties as long as physical distancing and public health measures are taken. See the [guidance for property sales and settlements during COVID-19 from the Ministry of Justice](#)

(<https://www.justice.govt.nz/about/news-and-media/covid-19-news/guidance-for-property-sales-and-settlements-during-covid-19/>)
for more information.

The expectation is that viewings should be carried out remotely in most cases. But in-person viewings are possible at alert level 3 if necessary.

If a property is tenanted, landlords will need approval from the tenants and viewings should only occur when the tenants are not present in the home. In person viewings of rental properties should be limited to two per day to manage the time that tenants would need to be away from the property.

We recommend the following records are kept for every person who enters the open home/rental viewing:

- The person's name;
- The date and time they entered the property; and
- Their telephone number.

We also recommend that a QR code is displayed in a prominent place at or near the main entrance of the property.

Tenants who live within an Alert Level 2 area will not be able to view properties in person within an Alert Level 3 area until they move into the Alert Level 3 area.

Can a vacant rental property be cleaned for the new tenants?

Under Alert Level 3, we recommend landlords arrange for professional cleaners to clean a vacant rental property to get it ready for the new tenants. This is especially so if several rental properties need to be cleaned. Using professional cleaners will help to ensure the relevant hygiene controls are being followed.

Inspections and maintenance

Can rental properties be inspected?

We recommend that routine inspections of rental properties do not take place under Alert Level 3 as they normally would. Virtual inspections can only happen if the tenants agree. A virtual inspection is a good opportunity for tenants to inform the landlord about any maintenance that is needed. We recommend that in person inspections of occupied rental properties should only happen in emergency situations. For example, if a landlord needs to confirm that emergency maintenance is required. At the end of the tenancy, the landlord and tenant should not do the final property inspection together as would be usual practice. Rather, we recommend tenants take photos of the property's condition before leaving.

Can repairs and maintenance be done on a rental property?

We recommend that under Alert Level 3, maintenance only occurs in emergencies. This includes professional services such as plumbers, electricians and tradespeople can work on, and inside rental properties. Physical distancing rules must be followed when inside homes and records should be kept for contact tracing purposes. Landlords should obtain tenant consent before maintenance is undertaken.

Tenancy Tribunal

Is the Tenancy Tribunal still operating at this time?

Tenancy Tribunal hearings in Alert Level 3 areas are being assessed as to whether they can be undertaken via teleconference or rescheduled.

Alert Level 4

- The rent increase freeze applied until 25 September 2020. Landlords can issue a rent increase notice to take effect on or after 26 September 2020, subject to the usual notice requirements.
- Note that from 12 August 2020, landlords cannot increase the rent within 12 months of the commencement of the tenancy or the last rent increase.
- For more information read the Level 4 FAQs. Please note that they have not been updated to reflect that the restrictions against tenancy terminations no longer apply.

Residential Tenancies Questions and Answers (Alert Level 4)

This document is a series of questions and answers about the COVID-19: Residential Tenancies Act amendments around the rent freeze and tenancy terminations.

JULY 6, 2020


FAQS

RESIDENTIAL TENANCIES ACT REFORM

↓ PDF, 368 KB

(<https://www.hud.govt.nz/assets/Residential-Housing/COVID-19-Rent-Freeze-and-Tenancy-Terminations/c1074fa00f/Residential-Tenancies-Questions-and-Answers-Alert-Level-4.pdf>)

Useful links

 [Read the Tenancy Terminations expiry questions and Answers \[PDF, 187 KB\]](https://www.hud.govt.nz/assets/Residential-Housing/COVID-19-Rent-Freeze-and-Tenancy-Terminations/c1074fa00f/Residential-Tenancies-Questions-and-Answers-Alert-Level-4.pdf)

(<https://www.hud.govt.nz/assets/Residential-Housing/COVID-19-Rent-Freeze-and-Tenancy-Terminations/c1074fa00f/Residential-Tenancies-Questions-and-Answers-Alert-Level-4.pdf>)

- [Terminations/Tenancy-Terminations-proactive-QA-HUD-website.pdf](#)

- [More information on the notice required to end tenancies can be found on the Tenancy Services website](https://www.tenancy.govt.nz/about-tenancy-services/news/ending-a-tenancy-giving-the-correct-notice/)
(<https://www.tenancy.govt.nz/about-tenancy-services/news/ending-a-tenancy-giving-the-correct-notice/>)
- [Different notice periods also apply for service tenancies, and more information on the Tenancy Services website](https://www.tenancy.govt.nz/ending-a-tenancy/giving-notice-to-end-tenancy/#id_2836958-ending-a-service-tenancy)
(https://www.tenancy.govt.nz/ending-a-tenancy/giving-notice-to-end-tenancy/#id_2836958-ending-a-service-tenancy)
- [Read the guidance for rent negotiation discussions on the Tenancy Services website](https://www.tenancy.govt.nz/rent-bond-and-bills/rent/guidance-for-discussion)
(<https://www.tenancy.govt.nz/rent-bond-and-bills/rent/guidance-for-discussion>)
- [Visit the Work and Income website about available support products for Tenants](https://www.workandincome.govt.nz/about-work-and-income/news/2020/helping-people-keep-their-rental-accommodation.html)
(<https://www.workandincome.govt.nz/about-work-and-income/news/2020/helping-people-keep-their-rental-accommodation.html>)

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QUICK LINKS

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[Community and public housing](https://www.hud.govt.nz/community-and-public-housing/) (<https://www.hud.govt.nz/community-and-public-housing/>)

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