



LIFE WHEN RENTING

AGEING WELL NATIONAL SCIENCE CHALLENGE
Enabling Older People's Independence
in the Tenure Revolution



**GOOD HOMES
FOR GOOD LIVES**

Empowering housing decisions as we age

Going for Good Renting

A Guide for Renting in Later Life

Moving On

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<https://renting.goodhomes.co.nz/>

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1. Introduction

Older tenants in the private rental market sometimes have to find another rental because the house they are living in is sold, or they need to find a cheaper place to live.

Others want to move to a different area. In those situations, people are moving from one rental to another.

Older tenants may also need to move on because they want to live with family, or because they need long-term care in a rest home.

This booklet covers these three aspects: shifting to another rental, going to live with family, and the move to long-term residential care.



2. Moving to another rental

There are lots of things to organise when you move to another rental. Firstly, notice is given by you or your landlord. There are also the tasks involved in vacating the property and the move itself.

When your landlord ends the tenancy

If you are on a periodic tenancy, your landlord must give at least 90 days' written notice to end the tenancy. The landlord must give a reason for ending the tenancy that is allowed under the Residential Tenancies Act. The reason must be stated in the notice to end the tenancy.

Your landlord can give 63 days' written notice only in specific circumstances. Those reasons are set out in the Residential Tenancies Act.

The reason for the 63 day notice must be stated on the written notice.

Eviction

Eviction is quite different from being given a notice to end the tenancy. Eviction happens when the tenancy is ended because the tenant has seriously breached the tenancy agreement or the Residential Tenancies Act. For example, rent is more than 21 days in arrears, the tenant has caused or threatened to cause serious damage to the property, or the tenant has assaulted or threatened to assault the landlord, agent or others in the building.

The landlord must apply to the Tenancy Tribunal for an eviction order. The order must be in place to evict a tenant.

By law the evicted tenant has 48 hours to leave the property. If the tenant does not leave in that time, the landlord is entitled to obtain a court order for eviction by a bailiff.

If you believe that your eviction is unfair, contact your local Community Law Centre or Tenancy Services for advice.

When you want to end a tenancy

If you have a periodic tenancy, ending the tenancy is straightforward. You give your landlord 28 days' notice in writing that you are leaving.

If you have a fixed-term tenancy and you want to end it early rather than waiting for the term to end, you can approach your landlord to see if they will agree to end the tenancy. They might charge you a fee for ending the fixed-term tenancy. You might be able to let the premises to someone else and move out. You will need to get the landlord's permission to do this. You will still be responsible for the tenancy even though you do not live there and will have to pay rent until a new tenant is found.



Finding the right place

Desiree has been a renter for almost 10 years now. She and her husband had owned a house in the Coromandel but, sold up to invest in her husband's 'dream business'. Unfortunately, he died a few months later and she has rented ever since.

While Desiree has found renting to be a positive experience overall, she was beginning to find her previous situation, flatting with a 'power freak' who owned the property, emotionally draining and untenable. Though she worried she was overreacting and it was just 'in her head' she talked the situation over with friends and colleagues and decided it would be best to move out.

A friend she volunteered with told her she was moving closer to town and her landlady was looking for a new tenant. Initially she was concerned that the cottage was adjacent to the landlady's own home and wondered whether she would be walking into a similar dynamic. But after meeting with her and being told 'do what you like it's your house,' she decided to take the chance.

Desiree has now been living in her cottage for five years and loves it there. She's been able to make the place her own, putting in gardens, fences and converting one of the rooms to a guest room with the

help of her brother so she can have guests to stay.

'A lot of people are not allowed to do anything like that.'

Having the landlady so close worked better than she expected and over time the two have developed an amicable relationship, meeting for coffee or a wine occasionally. The landlady has been pleased with the changes to the property saying, 'it's the best it's ever looked,' and is happy to help by feeding the cat or running her into town when she needs it. Desiree says 'I just like the freedom...nice views of sea and ranges. I've never felt this safe in any other place. I've never felt isolated.'

Property inspection

It's usual to have a final property inspection when you have moved your belongings out and done the final clean. Tenants are legally required to leave the property in a reasonably clean and tidy condition. Your tenancy agreement may require that you use a commercial cleaner or get carpets professionally cleaned. However, this is not required by the Residential Tenancies Act, and such clauses in a tenancy agreement are unlikely to be enforceable. Tenancy Services can provide advice on what is a reasonably clean and tidy condition.

A property inspection is important to do so that you can get your bond refunded, or transferred to your next tenancy. It may help to have an inspection in advance of moving so the landlord can alert you to anything they feel needs attention. It is also prudent to move out before the last day of your tenancy, so you are not rushed cleaning and can identify anything you think may need attention.

Take photos of the condition of the property when you move out, in case there is a dispute about damage or condition of the property.

What happens to the bond?

After the tenancy ends, you are entitled to receive the bond back, unless the landlord has good reason to keep some of the bond, e.g. for unpaid rent or damage that the tenant is liable for. The landlord cannot charge the tenant for fair wear and tear (see *Being a Successful Tenant* booklet). If this is given as a reason for withholding the bond seek help from Tenancy Services or your local Community Law Centre to resolve the matter.

Your bond can be transferred to your new rental property. This is done through Tenancy Services with a bond transfer form, signed by you and your old landlord. This form is given to your new landlord.

Bond transfer forms and bond refund forms are on the Tenancy Services website.

www.tenancy.govt.nz

Tenancy Bond freephone **0800 737 666**

Getting the bond back

Marie was in her mid 60s when she took a dispute to the Tenancy Tribunal about non-refund of her bond.

Marie had been renting through a property manager and when she decided to move from that rental to another rental, she asked for her bond to be refunded. Despite the property manager's efforts, the landlord did not agree to refund Marie's bond. Instead the landlord claimed that the property had been damaged. Both Marie and her property manager considered that there was no damage, although there was

fair wear and tear. Through normal use, some fittings were worn. The landlord asserted that the roll up blinds were damaged, that the mattress had been damaged, the floor was scratched, and an area of carpet had a stain. He identified many things that could be considered minor, including some wear and tear that was present when Marie took up the tenancy.

Marie and the property manager discussed what to do. Marie did not think it was fair that she had to forfeit the bond when she had not caused any damage to the property. The property

manager also considered that there was no intentional damage to the property, and that the observable wear and tear was what was reasonable to expect. As a consequence, Marie and the property manager together decided to take the issue to the Tenancy Tribunal for resolution. They prepared their case, including providing the property manager's property inspection files and photographs to the Tribunal. Their case was successful and the Tribunal ordered that Marie's bond be refunded in full.

Looking back, Marie says that the system worked for her as a tenant. But it may not have worked for someone with less knowledge and information. Marie had business knowledge of how the system worked and knew about her legal rights. Her advice to others thinking of taking a dispute to the Tribunal, is to have all the information required to support your case. Preparation takes time, and it can be quite a daunting process but Marie says, 'don't be put off by that!' There are places you can go for help and advice, such as the local Community Law and CAB. Marie suggests

that it's a good idea to take photographs of the condition of the dwelling when you start the tenancy and when you leave, as this will help you to tell your side of the story.

Finally, Marie thinks it is essential to remember that landlording is a business. Rental properties 'are an investment, a form of tax relief, and an income/profit stream. Without tenants then landlords cannot achieve any of this.'



Managing moving costs

Moving can be expensive. The Ministry of Social Development provides some assistance with moving costs, such as a removal company, trailer hire to move your property, and petrol costs. To be eligible, you must meet some income and asset criteria. This assistance must be paid back.

Find out more about help with moving costs from the Ministry of Social Development website here:

<https://www.workandincome.govt.nz/housing/move-house/moving-assistance.html>



If you need help with moving expenses, paying the bond or rent in advance contact Senior Services free phone 0800 552 002 to book an appointment at your local office to discuss assistance.

Resources

Tenancy Services provide useful information on ending your tenancy:

www.tenancy.govt.nz/ending-a-tenancy/

For more information on ending a tenancy see CAB:

www.cab.org.nz

There are free services that help with moving and changing utilities. See *Finding and Choosing a Rental* booklet.

Moving Out Checklist

- All my belongings and rubbish have been removed from the dwelling
- The property is clean and tidy, inside and out and I have photos to show this.
- All rent has been paid and there is no money owing.
- Automatic rent payment is stopped.
- Mail is redirected. All my important contacts and organisations have been informed of my new address.
- The power company has done a final reading and will send my final account to my new address.
- If applicable, my landline has been disconnected, or my number has been transferred to my new address.
- If applicable, my internet connection has been disconnected or moved to my new address
- Arrange for my bond to be repaid or transferred to my new tenancy. Inform Tenancy Services of my new address.
- All keys have been returned to the landlord.
- The landlord has my forwarding address.
- I have arranged for transportation of my belongings.

3. Moving to live with family or whānau

While parents living with adult children or other relatives (e.g., a niece or nephew) is not really a new idea, multi-generational households are becoming more popular because of financial or caregiving needs, or simply because people like being in each others' company and living in the same household.

If your family is renting, you may all be able to move to a more suitable home because there are more people sharing the rent.

Sometimes, living with family is therefore a good short- or long-term solution for everyone.

Living with family in the one household will only work if it's being done for the right reasons and the arrangement is amicable. If you have had a difficult or strained relationship with your family, sharing their home is unlikely to go well unless both parties put the effort in to improve the relationship.

Before moving in with family, make sure everyone involved gets a chance to share their feelings

about the proposed living arrangement, including any children. This should happen before a final decision is made so that everyone feels their opinions are being considered.

Also, discuss the 'ground rules'. These should cover any of the issues that you think might arise; for example, finances and your contribution to the household, privacy, dispute resolution, whether you can invite your own guests to the house, use of the phone, television or internet, etc. This can also be a good opportunity to check what sort of care and support you require from your family and what support you in turn can provide.

Most people don't consider moving in with family until they have a health setback or crisis that challenges their ability to live independently. Consider moving before you need to so that you can become used to your new surroundings and don't need a lot of urgent care from family members.

You may still be able to receive in-home support and care from outside sources, as well as financial support with any modifications that your new home might need to make it safe for you (eg, bathroom modifications). However, you will need to discuss how any other renovations that need to be made to your family's home are going to be paid for if there are no subsidies or grants available to cover costs. If the home is rented, any modifications will need to be discussed with the landlord and approved by them.

By pooling your resources, for example, you may be able to come up with a better living arrangement for everyone in the household. If you contribute financially in this way, you may have to think about how other family members will feel about it. A wider family meeting may help resolve any potential issues about family finances before they arise.

Think too about what sort of living arrangement suits you. For example, will you have your own space within the home – somewhere you can retreat to if you need time to yourself. What are your expectations about the time you'll spend with the family? Will you have meals together?

Just because you're living with family, don't isolate yourself from your own friends and activities. If you've moved to a new place away from your own networks and activities, you may initially feel lonely but there are senior organisations that can support you to get out and meet new people.

Pros and cons

Pros

- When you live with family members, you get to spend more time with them than might otherwise be possible.
- Family members may be able to help you connect with other relatives that they have a closer relationship with. Conversely, you might be able to help them connect with relatives that you are closer to.
- You can offer each other more support when you are living together.
- You might be able to share living expenses to reduce everyone's costs.

• *Cons*

- Even with the best intentions, some family members may be a little overwhelmed by having an older person join them in their household.

They may be used to their independence, just as you will be used to yours, and a time of adjustment is likely to be needed while everyone finds their own physical and emotional space and a new household rhythm develops.

- You will probably have less space and freedom in your home than you are used to.
- Living with family may affect some benefits or care services you are receiving, such as the accommodation supplement or in-home help.
- You may be expected to be a live-in carer for children, leaving little time and energy for yourself.

What do I need in order to take this option?

- You will need a place and space where you will be comfortable.
- It will take time and patience on everyone's part to learn to live with family, as a family again. Keep communicating with one another, as you figure

out how to develop family relationships that work and live in a shared, family space.

- You will need to research whether going to live with your family will affect their insurance or any benefits and support services you receive.
- Do not put up with any abuse or disrespect from any member of the family you join. You have the right to request that someone treat you with respect if their home becomes your home too.
- You may want to negotiate with family members the best ways for everyone to resolve any issues that arise between you.
- You may need to downsize your possessions before you move. Think about the things that are important to you, as well as what you are likely to need. If you feel pressed to make a decision, it may be worth putting some things in storage until after the move, when you have a better idea of how things might fit in your new surroundings.
- It may be that everyone in the household is out

most days at work or at school. Ask about this before you make the move. You may be happy to fill in your days with your own activities and friendships, or you may want to explore other living arrangements that provide you with more company during the day.

Could this option limit my future choices?

Maybe, depending on the type of accommodation you are looking to move on to in future. A return to living in your own home may be difficult if your finances are constrained, whereas moving into aged care in the future may be easier as you will have the help and support of family members.

For more information

Contact your doctor, local hospital, district health board (DHB) or local Needs Assessment and Service Coordination service (NASC) to see if the dwelling is suitable for your mobility needs. NASC will assess whether you need any home modifications and whether you are eligible for financial assistance.



Checklist for moving to live with family

- I have discussed expectations and obligations with my family

 - I have discussed how everyone will manage issues if they arise

 - I feel comfortable that I can address issues and make my needs known

 - I have sorted my belongings and/or arranged for storage of possessions I have yet to make a decision on
- I have considered what my options are if the arrangement doesn't work out

 - I have identified services in my new location that can help make the move easier, such as local branches of groups I already belong to

 - I have contact information for support if my living situation becomes unsafe



Living with family - the right decision

When Hana first decided she needed more day-to-day support and companionship, her son and daughter-in-law offered her the spare room in their house.

It was a large room with an ensuite that their oldest son had been in, but he was now working overseas. Their house was quite big and all on one level, so living with her son and daughter-in-law and the two children who were still at home seemed like a good option to Hana. They also lived close to the neighbourhood that Hana had lived in for the past 20 years, so she knew she would still be able to keep in contact with

her friends and visit the same support groups. As an added bonus, they also lived within walking distance of some of the shops and the supermarket she liked going to. So Hana decided to accept their invitation and move in with them.

Ever since her husband passed away some four years previous, Hana had been slowly sifting through the belongings and memorabilia they had accumulated on their travels and as gifts for birthdays, Christmases and anniversaries. Crockery and cutlery and other kitchen things that Hana would not use again had been boxed up and given to the marae; tools

and other things her husband had owned were offered first to her children and then what was left was given to the local charity shop; clothing and other personal items that she no longer needed or wanted went to one of the Kaumatua groups she belonged to so that others could take their pick. While Hana liked clearing away the clutter, she often found it hard as many things reminded her of her husband Matt and the many happy and some not-so-happy moments they had shared. She still missed him every day. In the lead up to her shift to her son and daughter-in-law's home, Hana sped up her sorting and

continued over

whittled her belongings down to the things she really wanted to keep with her and that would also fit into her room. This included her bed, a couch, her television, and a dresser that her father had made for her as a wedding present. And then there were the photos, ornaments and other taonga that she still treasured.

The move went smoothly and Hana's landlord was really pleased with the way she left her two-bedroom flat so clean and tidy. When she got her bond back she decided to add a bonus to the weekly 'board' she and her son had agreed on. At first he hadn't wanted to

take any money from her, but then he accepted that she really wanted to contribute financially to the household and not be, in her words, 'a burden'. She loved living with them, especially being at home when the two children came home from school and had a hot chocolate with her. They used this time together to share how their day had been. She cooked one or two nights a week and also helped out with the washing and cleaning. It was almost as if the household operated on some unseen roster system, where everyone picked up on chores and responsibilities. When she wanted to be by herself, she

could cosy up in her own room and watch tv, read a book, or even take a nap. Even though she continued to miss Matt, she could see him in her son, especially the facial expressions he made. This reminder pleased her, along with his choice of woman to marry as Hana and her daughter-in-law got on well and could often be heard laughing together over a glass of wine in the evenings. And being around her grandchildren made her feel a joy for life – even when they (or she) were a bit grumpy. All-in-all, she decided, she had made the right decision to move in with them.

4. Moving to aged residential care

Moving into residential care, such as a rest home or more intensive care, is a major decision that involves consideration of your health, safety, mobility, ability to do daily tasks around the home, and on-going ability to live independently (including accessing support services in your community to help you to live independently).

Needs assessment

If you are considering moving to residential care, there are several steps involved.

The first step is a needs assessment. This is a check of your health and ability to do everyday tasks, to see if you need home help, or residential care. The assessment is done by a qualified needs assessor through your local district health board (DHB) or a needs assessment service coordination agency (NASC). You can ask your doctor to arrange for a needs assessment to be done, or

you can contact your DHB directly and ask for the local NASC. Sometimes the local Age Concern office can contact a needs assessor on your behalf.

The needs assessor will visit you in your home to do the assessment. It is detailed, looking at the suitability of the home for your needs, like bathroom and toilet facilities, as well as asking about your health and everyday activities. You can have a friend or family member present at the assessment.

If you are assessed as having low to medium support needs, then home help will be recommended for you to support you continuing to live in your home. For more information about home care support, see *Services and Supports* booklet.

If your needs assessment shows that you have high needs requiring ongoing residential care, you can then look at moving to a rest home.

The residential care subsidy

You can move into residential care without accessing government financial support, however many people can access the residential care subsidy to help with care expenses. Eligibility depends on your assets and income. You must have assets below the threshold to qualify for this subsidy.

If you are eligible for the subsidy, this is paid directly to the rest home by the Ministry of Health. The subsidy will not pay for all the costs of your residential care. The rest of the costs will come out of your superannuation and any other income you receive.

Extra charges

It's important to check out the different fees. It's common for extra charges to be made for 'premium rooms', which have additional features such as an ensuite, are larger, or have a better outlook. You cannot use the residential care subsidy to pay for these extra charges for a premium room. If you do not want to pay for a premium room, you should be able to obtain a standard room within your local area.

Some rest homes offer additional services, which residents pay for. These are things like newspapers, Sky TV, and hairdressers. You do not have to receive those services.

Choosing your care home

As with making any big decision, it's a good idea to shop around although some places have only a few residential care providers, which will limit the options available to you. A family member or friend could support you to visit homes and compare different care providers.

Carefully look at the range of residential care homes in your community to see what would suit you. Check out things like the home's atmosphere, how staff relate to residents and family, the food, room size and orientation to sun and light, heating, whether you can bring some furniture, and how your dignity, privacy and independence will be respected and protected.

Cultural and religious preferences

New Zealand is a multi-ethnic and multi-cultural society. Residents in aged residential care – and staff too – come from many different cultures and ethnic groups. You may have special beliefs, dietary habits and religious or spiritual practices which are natural to you, but which staff don't always know of or understand.

You and your family are encouraged to discuss with staff how they can accommodate your cultural and religious needs within the delivery of care, for example:

- What you like to be called
- Your dietary requirements
- Any religious festivals that might require specific diets, fasting or practice
- Whether there is a space for worship, religious services and spiritual support

- How you would like to decorate your private room,
- How staff can work with you to organise cultural events, celebrations, recreational programmes, hobbies and crafts that can help to create a culturally familiar environment for you
- Any topics that can't be discussed with an opposite gender practitioner
- Any family members who need to be included in treatment decision making
- In general, how you want your culture and faith to be included in your care plan

Audits of residential care

A useful source of information to help you make a decision about the best rest home for you, is the Ministry of Health's audit report.

All residential care facilities are audited by the Ministry of Health to ensure that they are providing

safe and appropriate care. Audits raise issues and action required, so they are a useful way of finding out about the quality of care in a home. You can read the summaries of audit reports for each facility on line here:

www.health.govt.nz/your-health/services-and-support/health-care-services/services-older-people/rest-home-certification-and-audits

The admission agreement

When you enter a rest home, you will sign an admission agreement. This is a legal contract that sets out all the rights and responsibilities of the resident and the care provider. It also sets out any additional fees for extra services. The care provider cannot charge you for services that it must provide under its contract with the district health board, such as accommodation, meals, laundry, cleaning, nursing care, doctors' visits, and medication costs.

Insurance

It's a good idea to insure your personal belongings as this is not covered by the care provider's insurance.

Pros and cons

Pros

- All your living and care needs will be met in one place
- Both you and your family may find peace of mind knowing help is always at hand
- You may find other residents you get along with and want to spend time with
- There will be organised activities that you may want to join in with.

Cons

- You will have only a room to yourself, along with other shared space, and maybe less privacy than you are used to
- You may not get along with some of the residents
- You may find the routine of the rest home more regimented than you prefer

What do I need in order to take this option?

- If you want to apply for government-subsidised residential care, you will have to have a needs assessment by a NASC
- You will need to find a rest home you like with a vacancy

Resources

Ministry of Health for an overview of residential care and information about the key steps for moving into a care home:

www.health.govt.nz/our-work/life-stages/health-older-people/long-term-residential-care

Work and Income for information about the assessment process for the residential care subsidy:

www.workandincome.govt.nz/products/a-z-benefits/residential-care-subsidy.html#null

Residential Subsidy Unit Free phone 0800 999 727

Seniorline has a lot of information and guidance about moving into care, choosing a care home, the admission agreement and care costs:

www.seniorline.org.nz

Age Concern has a useful question and answer webpage:

https://www.ageconcern.org.nz/Public/Info/Wellbeing/Housing_and_care/Residential_Care_Common_Questions.aspx

Consumer has information about rest home audits and a checklist to help compare different rest homes:

www.consumer.org.nz/articles/rest-homes

Eldernet - find a detailed directory of aged residential care homes available in your area here:

<https://www.eldernet.co.nz/residential-care>

Where from Here booklet

www.carepublications.co.nz/home

5. Thinking about the future

If you are facing a change in your living situation, this may also be a good time to think more broadly about your health and wellbeing and what kind of health care or services you might like to receive in future.

Sometimes this is called Advance Care Planning, or APC. Sharing that information with your loved ones and your health care team makes it much easier for everyone to know what you want, so treatment and care plans can support what is important to you.

Advance care planning can be done a step at a time at your own pace. The important steps are thinking about and talking about your wishes, writing them down and sharing them. Talking about the future, particularly end-of-life care, might be hard but there are resources and people who can help you with this.

The Health Quality & Safety Commission New Zealand website is a good place to start: www.hqsc.govt.nz/our-programmes/advancecareplanning/

Enduring power of attorney

Enduring power of attorney (EPA) is a legal document setting out who can manage your financial and personal matters if you cannot. You can also use your appointed enduring power of attorney to help manage your financial or health matters. The EPA document is prepared by and signed in the presence of a lawyer, a qualified legal executive or an authorised officer of the Public Trust.

You choose a person that you trust to act as your attorney. They could be a friend, family member, lawyer or a trustee corporation like the Public Trust. There are two types of enduring power of attorney:

- Property – covers the management of your money and assets. You can pick one or more individuals or a trustee corporation to make decisions about how your property and finances should be managed. You can decide whether you want this to come into effect immediately or only if you lose your capacity.
- Personal – covers your health, accommodation and care matters. This is usually a family member or a trusted friend who makes decisions about your care e.g. selecting a rest home or deciding on medical treatment. It is important this person

knows your wishes, feelings and values to help them make the best decisions on your behalf if they need to. It is a good idea to include this person in discussions about your advance care plan, particularly those relating to future treatment options. There are some decisions that an attorney for personal care and welfare cannot make. For example, the attorney cannot refuse consent to standard medical treatment intended to save your life, or treatment to prevent serious damage to your health.

It's possible to have one person who has enduring power of attorney for your personal care and welfare, and a different person (or persons) with enduring power of attorney for your property and finances.

For more information:

Office for Seniors – Enduring Power of Attorney

<https://officeforseniors.govt.nz/our-work/promoting-enduring-power-of-attorney/>

Citizens Advice Bureau

<https://www.cab.org.nz/article/KB00001269>

Age Concern

<https://www.ageconcern.org.nz/>

New Zealand Government

<https://www.govt.nz/browse/family-and-whanau/enduring-power-of-attorney-epa-for-personal-care-and-welfare/>



Notes

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Disclaimer

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LIFE WHEN RENTING

AGEING WELL NATIONAL SCIENCE CHALLENGE

Enabling Older People's Independence in the Tenure Revolution

