

Changes to the healthy homes standards



Changes to the healthy homes standards are expected to come into force in May 2022.

This will include changes to the heating, ventilation and moisture ingress and drainage standards.

As the changes do not become law until May 2022, until then private landlords must make sure their rental properties comply with the current healthy homes standards within 90 days of any new or renewed tenancy.

If your rental property already meets the existing standards, you will not need to do any extra work to comply with the changes.

[About the current healthy homes standards \(http://www.tenancy.govt.nz/healthy-homes/about-the-healthy-homes-standards/\)](http://www.tenancy.govt.nz/healthy-homes/about-the-healthy-homes-standards/)

Heating standard

Heating formula changes

The new heating formula will only apply to the types of rental properties described below:

- properties built to the 2008 building code.
- apartments in residential buildings of at least three storeys, that have six or more commercial or residential units.
- properties where the insulation and glazing have been upgraded throughout, and now meets or exceeds the 2009 insulation and glazing standards.

All other types of rental properties must continue to use the original formula.

The existing heating assessment tool will be updated to include the new formula and will be available when the changes become law.

These changes will generally allow the properties that meet the criteria to install smaller heating devices, which will better reflect how they retain heat.

Changes to the heating formula for the properties that meet the criteria above are:

Column 1 shows current heating formula and column 2 shows the heating formula from May 2022

Current formula	Formula from May 2022
a ventilation rate of 1.0 air change per hour	a ventilation rate of 0.5 air changes per hour
a constant pick up load (the energy initially needed to heat the living room to the required temperature of 18°C) of 40W/m	a pick up load of 20 percent of the base heat requirement
heat loss of 50 percent from the living room to adjacent internal rooms.	heat loss of 25 percent from the living room to adjacent internal rooms.

Compliance timeframe

Properties that meet the criteria for the new heating formula (once it becomes law), will have a new deadline to comply with the heating standard.

The compliance date for the heating standard will be 5 February 2023 (i.e. 9 months after the regulation takes effect), if all of the below conditions apply:

- The rental property meets the criteria for the new heating formula.
- The tenancy was signed after 5 May, 2022 (when the new regulation takes effect).
- The end of the 90 day compliance timeframe is before 5 February, 2023.

Landlords of these properties must continue to comply with the other four healthy homes standards within 90 days of any new, or renewed, tenancy.

Examples

In all the examples, the new regulations take effect from 5 May 2022.

Example A: On 16 May 2022 Harpreet signed a new tenancy for his rental property built to the 2008 building code

The 90 day compliance timeframe for his property is 14 August 2022 (during the grace period). The deadline for complying with the heating standard becomes 12 February 2023.

The deadline for Harpreet to comply with the other four healthy homes standards remains 14 August, 2022.

Example B: On 16 August 2022 a new tenancy is signed for Vinh's rental property that has had the insulation and glazing upgraded throughout, so that it now meets or exceeds the 2009 insulation and glazing standards

Because the 90 day compliance timeframe for the healthy home standards for Vinh's property is 14 November 2022 (within the grace period) the deadline for complying with the heating standard for this tenancy becomes 12 February, 2023.

The deadline for complying with the other four healthy homes standards remains 14 November 2022.

Example C: On 26 November 2022 Moana signed a new tenancy for her apartment, which qualifies for the new formula

The 90 day timeframe to comply with the healthy homes standards for her property is 24 February, 2023. Because the compliance date falls after the heating standard grace period of 12 February, 2023, there is no extension for compliance of the heating standard. The deadline for complying with all five standards is 24 February, 2023.

Relaxed tolerance of existing heating

The trigger point to top up or replace existing heating installed before 1 July 2019 has been relaxed from 90% to 80% of the required heating capacity. This means you don't need to add more heating if you have one or more existing heaters that:

- were installed before 1 July 2019
- each have a heating capacity greater than 2.4 kW
- meet the requirements in the standards (for example, not an open fire or an unflued combustion heater)
- are not electric heaters (heat pumps are acceptable) if the required heating capacity for the main living room is over 2.4 kW, and
- have a total heating capacity that's at least **80%** of what you need to meet the required heating capacity.

Example

John has his rental property heating installed before 1 July 2019.

The heater was an acceptable heater and it provided 2.4 kW of heating capacity (when the requirement is 3.0 kW).

However, when the heater needs to be replaced due to wear and tear, he will need to install one that meets the full capacity requirement of the healthy homes heating standard.

Increase in top up of existing heating allowance

For heating that was installed before 1 July 2019, the allowance when using electric heaters to 'top up' the heating capacity will be 2.4 kW instead of 1.5 kW.

The new top up allowance will mean you can top up existing heating in the main living room to the required heating capacity either by:

1. installing one or more additional heaters that meets the requirements in the healthy homes standards
2. adding a smaller fixed electric heater with a thermostat, but it must meet the following conditions:
 - a. the existing heating was installed before 1 July 2019,
 - b. the required heating capacity is more than 2.4 kW, and
 - c. the 'top up' needed is 2.4 kW or less.

Examples

Example A: Jane had a heat pump with a heating capacity of 3.6 kW that was installed before 1 July 2019.

But after using the heating assessment tool, Jane found out that her rental needed a total heating capacity of 6.0 kW. Jane added a fixed 2.4 kW electric heater with a thermostat to meet the standard.

Once the heat pump needed to be replaced due to wear and tear, Jane replaced it with a qualifying heater(s) that met the full capacity requirement of the healthy homes heating standard.

Example B: Robin needs a total heating capacity of 8 kW for his rental property.

The flat has a fixed heat pump with a heating capacity of 4 kW and an unflued gas heater with a heating capacity of 3 kW. The unflued gas heater is an unacceptable heater type, which means it can't contribute to the required heating capacity. Robin can meet the standards by installing a 4 kW (or larger) qualifying fixed heater, where it can heat the main living room directly. Robin added an electric heater to 'top up' the heating because the 'top up' Robin needed was over 2.4 kW.

Some properties (mainly in Rotorua) can meet the heating standard by using geothermal heating, if the heater:

Geothermal heating systems compliant

- a. is powered by geothermal energy
- b. provides direct heat to the main living room, and
- c. doesn't have a stated heating capacity and it is not possible to state its heating capacity.

Another way to meet the heating standard

Landlords will have another way to comply with the heating standard.

As an alternative to the heating formula or tool, certain specialists are able to certify or approve that the heating standard has been met.

This option is likely to be best for property developers who are already working with heating specialists.

A specialist is considered to be:

- a registered chartered engineer under the Chartered Professional Engineers of New Zealand Act 2002,
- an International Professional Engineer (IntPE) registered with Engineering New Zealand, or
- a person that has completed a tertiary engineering, physics or building science qualification (at New Zealand Qualification Framework Level 7 or above), with an additional 5 years of experience in heating system design whether commercially or otherwise.

Landlords will need to hold relevant documentation as part of their record keeping if this compliance method is being used.

Clarification of partial exemption when the landlord does not own the entire building

If a rental property is part of a building and the landlord does not own the entire building (for example, if a landlord owns an apartment). The landlord will be partially exempt from complying with parts of the standards, if their ability to comply with the healthy homes standards is not possible because:

- they need to install or provide something in a part of the building where the landlord is not the sole owner, or
- they need access to a part of the building that they are not the sole owner.

Landlords must still take all reasonable steps to make sure the rental property or building complies with the healthy homes standards as much as reasonably practicable. This means if the heating capacity needed is over 2.4 kW, a landlord must install at least 1 qualifying heater that has a heating capacity of at least 2 kW. An electric heater with thermostat is an acceptable heater for this situation.

Ventilation standard

Ventilation for kitchens and bathrooms

The ventilation standards now allows properties with certain continuous mechanical ventilation in kitchens and bathrooms to satisfy the standard.

If your rental was built with a continuous mechanical ventilation system, to meet the standard you must:

- have first received building consent on or after 1 November 2019
- continue to meet the requirements of the 2019 building consent, and
- have a continuous mechanical ventilation system that extracts air from kitchens and bathrooms to the outdoors

Alternatively, if your rental has been renovated and now has a continuous mechanical ventilations system, to meet the standard, the system must:

- provide ventilation for multiple rooms and continuously extract air to the outdoors, and
- extract air directly out of the kitchen and bathroom, with an exhaust capacity of at least 12 l/s in the kitchen and 10 l/s. in the bathroom. The actual flow rate may be varied (manually or automatically), in response to the demand for ventilation.

Recirculating systems (products like HRV and DVS systems), or fans that do not extract to the outdoors are not suitable to meet the ventilation standard.

Moisture ingress and drainage standard

Clarification about moisture ingress and drainage standard

Landlords are not required to install alternative moisture barriers where installation of a polythene barrier isn't reasonably practicable in the subfloor area.

[Read more about the healthy homes standards \(http://www.tenancy.govt.nz/healthy-homes/about-the-healthy-homes-standards/\)](http://www.tenancy.govt.nz/healthy-homes/about-the-healthy-homes-standards/)

For more information about the changes visit the Ministry of Housing and Urban Development website.

[Updating the Healthy Homes Standards - Heating Regulations \(https://www.hud.govt.nz/about-us/news/updating-the-healthy-homes-standards-heating-regulations/\)](https://www.hud.govt.nz/about-us/news/updating-the-healthy-homes-standards-heating-regulations/) — Ministry of Housing and Urban Development