

Landlord compliance checklist



Welcome to the compliance checklist for landlords and property managers

This compliance checklist has been created for landlords and property managers so you can see how well you are measuring up to minimum requirements of tenancy laws in your rental properties.

Using the compliance checklist is a step that you can take towards ensuring that you are meeting your obligations under the Residential Tenancies Act 1986 and healthy homes standards.

It's important to remember if you are a landlord of a boarding house, you have additional responsibilities you must meet.

How to use the checklist:

- › Create a full property list (template 1)
- › Create an audit tenant list (template 2)
- › Complete tenancy audit for each tenant

www.tenancy.govt.nz



Individual tenancy checklist

Section 1: Residential Tenancy Agreement

	Yes	No
1.1 Do you have a written tenancy agreement?	<input type="checkbox"/>	<input type="checkbox"/>
1.2 Does your agreement include all of the following?		
1.2.1 The full name and contact address of the landlord?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.2 The landlord's contact mobile telephone number (if any)?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.3 The landlord's contact email address (if any)?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.4 The landlord's address for service? Also see Address for Service ¹	<input type="checkbox"/>	<input type="checkbox"/>
1.2.5 The tenant's contact mobile telephone number (if any)?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.6 The tenant's contact email address (if any)?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.7 The address of the premises?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.8 The date the tenancy agreement is signed?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.9 The date of commencement of the tenancy (where that is different from the date that the tenancy agreement is signed)?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.10 The full name and contact address (where that is different from the tenancy address) of the tenant?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.11 The tenant's address for service (where it is different from the tenancy address)?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.12 Whether a named tenant is under the age of 18?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.13 The amount of any bond payable and confirmation of any amount received?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.14 The rent payable?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.15 The frequency of the rent payments (weekly or fortnightly)?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.16 The place or bank account number where the rent is to be paid?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.17 A list of any chattels provided by the landlord?	<input type="checkbox"/>	<input type="checkbox"/>
1.2.18 If the tenancy is a fixed-term tenancy, the date on which the tenancy will terminate? Also see Minimum contents of a tenancy agreement ²	<input type="checkbox"/>	<input type="checkbox"/>
1.3 Does your agreement include a pre-tenancy inspection report form to be signed by both parties?	<input type="checkbox"/>	<input type="checkbox"/>
1.4 Do you ensure that there are no clauses in your tenancy agreements that contradict the Act or cause the tenant to waive or reduce their rights or take on greater obligations than those stated in the Act? Also see Adding conditions to the tenancy agreement ³	<input type="checkbox"/>	<input type="checkbox"/>
1.5 When the tenant signs the agreement do you ensure they receive a copy before the commencement of the tenancy?	<input type="checkbox"/>	<input type="checkbox"/>
1.6 If you and the tenant agree to a variation to the terms during the tenancy, do you record those in writing?	<input type="checkbox"/>	<input type="checkbox"/>
1.7 How do you ensure you are recording the tenant's legal names? Do you ask for identification when renting out the property?	<input type="checkbox"/>	<input type="checkbox"/>

1 <https://www.tenancy.govt.nz/starting-a-tenancy/tenancy-agreements/address-for-service/>

2 <https://www.tenancy.govt.nz/starting-a-tenancy/tenancy-agreements/>

3 <https://www.tenancy.govt.nz/starting-a-tenancy/tenancy-agreements/adding-conditions-to-the-tenancy-agreement/>



1.8	If the tenancy started after 1 July 2016, do you have a separately signed statement that tells the tenant the location, type and condition of any insulation in the property? Also see Tenancy Agreements ⁴	<input type="checkbox"/>	<input type="checkbox"/>
1.9	For any new, varied or renewed tenancy agreements after 1 July 2019, do you have a separately signed statement that you will, or do already, comply with the healthy homes standards? Also see Tenancy Agreements ⁵	<input type="checkbox"/>	<input type="checkbox"/>
1.10	For tenancies that are part of a Body Corporate – do you supply a copy of the Body Corporate rules to the tenant at the start of the tenancy (or before) and does your tenancy agreement refer to them as being part of the terms of the agreement?	<input type="checkbox"/>	<input type="checkbox"/>
1.11	Is the tenancy agreement signed by the landlord(s) and all tenants (where there is more than one tenant named on the agreement)?	<input type="checkbox"/>	<input type="checkbox"/>

Examples of documents that are likely to demonstrate your compliance with the Act:

- › Residential Tenancy Agreement
 - › Separately signed statement that is added to the agreement with regard to insulation (location, type and condition)
 - › Separately signed statement that is added to the agreement that you will, or do already, comply with the healthy homes standards (for new, varied or renewed tenancies after 1 July 2019)
 - › Pre tenancy application form template
 - › Tenancy property inspection report (conducted with tenant) template
 - › Any forms/templates used to vary the terms or extend or renew tenancy agreements
-

⁴ <https://www.tenancy.govt.nz/starting-a-tenancy/tenancy-agreements/>

⁵ <https://www.tenancy.govt.nz/starting-a-tenancy/tenancy-agreements/>

Section 2: Records

		Yes	No
2.1	Do you have a rent record that shows all payments of rent paid by or on behalf of the tenant?	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Are your rent records kept up to date so as to enable you to provide a record to the tenant, should they request it, within a reasonable timeframe?	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Do you have a record of the bond paid by the tenant?	<input type="checkbox"/>	<input type="checkbox"/>
2.4	Do you keep your rent and bond records for seven tax years after the tax year to which they relate?	<input type="checkbox"/>	<input type="checkbox"/>
2.5	Do you keep the following during and for 12 months after the termination of the tenancy?		
2.5.1	The tenancy agreement and any variations or renewals of it (or copies?)	<input type="checkbox"/>	<input type="checkbox"/>
2.5.2	Any inspection reports for inspections carried out at the premises during the tenancy (or copies)?	<input type="checkbox"/>	<input type="checkbox"/>
2.5.3	Records of any maintenance or repair work carried out at the premises by or for the landlord during the tenancy (or copies)?	<input type="checkbox"/>	<input type="checkbox"/>
2.5.4	Any notices or letters, emails or other forms of correspondence between the landlord (or a person acting on the landlord's behalf) in relation to the tenancy (or copies)?	<input type="checkbox"/>	<input type="checkbox"/>
2.6	Do you use standard template letters that comply with the requirements under the Act? (For example, a template letter for giving 90 days' notice or 42 days' notice to terminate a periodic tenancy) For guidance: Giving notice to end a tenancy ⁶ , Breaches of the Act ⁷ , Access ⁸	<input type="checkbox"/>	<input type="checkbox"/>
2.7	Do you record a 'tenant history' including all interactions with the tenants? For example: contact from or to the tenant, visits and inspections and any notices given or received?	<input type="checkbox"/>	<input type="checkbox"/>
2.8	Do you retain relevant records or documents that provide evidence of your compliance with healthy homes standards?	<input type="checkbox"/>	<input type="checkbox"/>

Examples of documents that are likely to demonstrate your compliance with the Act (can include, but is not limited to the following):

- › 14 day letters to remedy for non-payment of rent
- › 14 day letters to remedy for other breaches
- › Termination notice for periodic tenancies
- › Notice given to advise the tenant that a fixed-term will not become periodic at the end of the tenancy (to be given between the 90th and 21st day before the end of the tenancy)
- › Notices of entry for inspections or necessary maintenance/repairs
- › Rent increase notices
- › Rent summaries

6 <https://www.tenancy.govt.nz/ending-a-tenancy/giving-notice-to-end-tenancy/>

7 <https://www.tenancy.govt.nz/disputes/breaches-of-the-residential-tenancies-act/>

8 <https://www.tenancy.govt.nz/maintenance-and-inspections/access/>

Examples of documents that are likely to demonstrate your compliance with the healthy homes standards (can include but are not limited to):

- › Building Code compliance certificate
- › Records of any installation, maintenance or repair, or other work carried out at the premises
- › Product manuals or other manufacturer's information
- › Records of calculations of a living room's required heating capacity
- › Professional evaluation performed by a relevant professional
- › Certificate of acceptance or other documents issued under, or for the purposes of, an enactment or a bylaw (for example a code compliance)
- › Photographic evidence of compliance
- › Reports or other documents issues by a local authority in relation to the rental property (eg, a Land Information Memorandum (LIM) report)
- › Documents or records relating to the construction of, or work carried out at the rental property.

Landlords are reminded that any personal information that they gather or hold must be treated in accordance with the Privacy Act 1993. Landlords should make themselves aware of any available privacy guidelines issued by the Privacy Commissioner that relate to collection of personal information.

Section 3: Maintenance

		Yes	No
3.1	Before looking for a tenant and renting out the property do you inspect the property to ensure that the premises are reasonably clean, in a reasonable state of repair and compliant?	<input type="checkbox"/>	<input type="checkbox"/>
3.2	Before renting the property to a tenant do you ensure the following:		
3.2.1	That the premises can be legally occupied? (for example, if the property had been divided into two flats or a garage was converted into a separate unit, did the Council issue the required permits or consents?)	<input type="checkbox"/>	<input type="checkbox"/>
3.2.2	That the premises comply with all requirements for building, health and safety that applies to the premises?	<input type="checkbox"/>	<input type="checkbox"/>
3.2.3	That all gas installations and all gas and electrical fittings are safe and fit for purpose, and that all work has been carried out by a qualified professional?	<input type="checkbox"/>	<input type="checkbox"/>
3.2.4	That adequate instructions (e.g. manuals) are provided to the tenants to ensure they can use all gas and electrical appliances safely?	<input type="checkbox"/>	<input type="checkbox"/>
3.2.5	That you have provided the premises with locks and other similar devices to ensure the premises are reasonably secure?	<input type="checkbox"/>	<input type="checkbox"/>
3.2.6	That the insulation installed at the premises is of the required standard and was installed in accordance with NZS 4246:2016?	<input type="checkbox"/>	<input type="checkbox"/>
3.2.7	That the property complies with requirements for smoke alarms?	<input type="checkbox"/>	<input type="checkbox"/>
3.2.8	That the property is warm, dry and safe for the tenant? Also see Maintenance and inspections ⁹	<input type="checkbox"/>	<input type="checkbox"/>
3.3	Do you carry out regular maintenance inspections during the tenancy? Also see Inspections ¹⁰	<input type="checkbox"/>	<input type="checkbox"/>
3.4	Do you have a process where tenants can contact you to report urgent or necessary repairs and maintenance issues or damage to the property? What about after hours or during the weekend?	<input type="checkbox"/>	<input type="checkbox"/>
3.5	Are the smoke alarms the correct type and in the correct location? Also see Smoke Alarms ¹¹	<input type="checkbox"/>	<input type="checkbox"/>
3.6	Do all of your properties comply with the requirement for smoke alarms to be installed? Also see Smoke Alarms ¹²	<input type="checkbox"/>	<input type="checkbox"/>
3.7	Do your properties comply with the insulation requirements?	<input type="checkbox"/>	<input type="checkbox"/>

Examples of documents that are likely to demonstrate your compliance with the Act:

- › Maintenance records
- › Inspection records (including frequency)
- › Tenancy inspection report (conducted with the owner) template
- › Management authority template, including agreement between owner and property manager on how to handle maintenance issues or documentation or policies on how maintenance will be carried out or approved or documentation or policies
- › Maintenance inspection schedules – including regular smoke alarm checks
- › Any templates used for recording maintenance issues and following up to ensure they are attended to
- › Any logs or templates used for recording contact from tenants (in relation to maintenance or damage)
- › Any other documents or checklists used to check that the property is compliant with regard to the Act. For example, you might use a checklist when taking over management of the property that includes tasks such as checking the title to ensure it is a separate, legal dwelling or checking with the local Territorial Authority to confirm compliance with Building regulations. It might also include checking the current level of insulation and that smoke alarms are installed as required by regulations under the Act.

⁹ <https://www.tenancy.govt.nz/maintenance-and-inspections/>

¹⁰ <https://www.tenancy.govt.nz/maintenance-and-inspections/>

¹¹ <https://www.tenancy.govt.nz/maintenance-and-inspections/smoke-alarms/>

¹² <https://www.tenancy.govt.nz/maintenance-and-inspections/smoke-alarms/>

Section 4: General compliance

		Yes	No
4.1	Do you give the correct notice before entering the premises? Also see Access ¹³	<input type="checkbox"/>	<input type="checkbox"/>
4.2	Do you give the correct notice to terminate the tenancy? See Giving notice to end a tenancy ¹⁴ and Expiry of a fixed-term tenancy ¹⁵	<input type="checkbox"/>	<input type="checkbox"/>
4.3	Do you comply with service of notice requirements under the Act? (For example, do you allow four working days for service of notices through the post?) See Serving notices ¹⁶	<input type="checkbox"/>	<input type="checkbox"/>
4.4	Do you have a procedure or process in place to deal with complaints from your tenants about breaches of their peace, privacy and comfort by yourself or your other tenants? (for example: complaints about noise from a neighbouring property that you are also the landlord for). See also Quiet Enjoyment ¹⁷	<input type="checkbox"/>	<input type="checkbox"/>
4.5	Do you have a process in place for negotiating access to show new tenants before the tenancy ends or prospective buyers if the property is on the market?	<input type="checkbox"/>	<input type="checkbox"/>
4.6	Do you lodge all bond payments received from the tenant with Tenancy Services within 23 working days of receiving payment? (Please note that Boarding House Tenancy Agreements that require one week's rent as bond or less are exempt from this requirement but can still be lodged). See Bond ¹⁸	<input type="checkbox"/>	<input type="checkbox"/>
4.7	Do you ensure that you only charge up to the maximum permitted bond (the equivalent of four weeks' rent)?	<input type="checkbox"/>	<input type="checkbox"/>
4.8	Do you ensure that you are only charging the tenant for outgoings (for example: power, water) as permitted by the Act? See Utilities and other payments ¹⁹ and Water and wastewater charges ²⁰	<input type="checkbox"/>	<input type="checkbox"/>
4.9	Do you ensure you are not breaching requirements with regard to charging rent 'in advance'? (for example, do you make sure you are not charging the tenant for rent again before any rent they have already paid has been used up?) See Charging Rent ²¹	<input type="checkbox"/>	<input type="checkbox"/>
4.10	Do you ensure you are not breaching requirements with regard to increasing the rent during the tenancy? See Increasing Rent ²²	<input type="checkbox"/>	<input type="checkbox"/>
4.11	Do you ensure you are not breaching the Act in other ways? For example, when dealing with abandoned goods or when adding additional terms into your tenancy agreements? See Breaches of the Residential Tenancies Act ²³	<input type="checkbox"/>	<input type="checkbox"/>
4.12	At the end of the tenancy, do you arrange to meet at the property to carry out a final inspection with your tenant and finalise the bond refund where applicable? See Ending a tenancy checklist ²⁴	<input type="checkbox"/>	<input type="checkbox"/>

Examples of documents that are likely to demonstrate your compliance with the Act:

- › Any complaints processes or guidance for dealing with concerns (other than maintenance) raised by the tenant.
- › Any 'welcome packs' or other information provided to tenants at the beginning of their tenancy to make them aware of their rights and obligations
- › Any guidance documents provided to employees and others about how to deal with entering the dwelling or contacting the tenants during the tenancy. For example, an employee could be a property manager or a tradesperson acting on your behalf but they could also be a Real Estate agent engaged in showing prospective buyers when the property is on the market.
- › Any templates or documents used to gain feedback from tenants (similar to customer feedback survey) during or at the end of the tenancy

13 <https://www.tenancy.govt.nz/maintenance-and-inspections/access/>

14 <https://www.tenancy.govt.nz/ending-a-tenancy/giving-notice-to-end-tenancy/>

15 <https://www.tenancy.govt.nz/ending-a-tenancy/expiry-of-a-fixed-term/>

16 <https://www.tenancy.govt.nz/ending-a-tenancy/serving-notice/>

17 <https://www.tenancy.govt.nz/maintenance-and-inspections/quiet-enjoyment/>

18 <https://www.tenancy.govt.nz/rent-bond-and-bills/bond/>

19 <https://www.tenancy.govt.nz/rent-bond-and-bills/utilities-and-other-payments/>

20 <https://www.tenancy.govt.nz/rent-bond-and-bills/water-and-wastewater-charges/>

21 <https://www.tenancy.govt.nz/rent-bond-and-bills/rent/charging-rent/>

22 <https://www.tenancy.govt.nz/rent-bond-and-bills/rent/increasing-rent/>

23 <https://www.tenancy.govt.nz/disputes/breaches-of-the-residential-tenancies-act/>

24 <https://www.tenancy.govt.nz/ending-a-tenancy/ending-a-tenancy-checklist/>