



**Regulation of Methamphetamine Contamination in Rental Housing – Regulatory Options**  
**Ministry of Housing and Urban Development**  
**Consultation Document**

**The Salvation Army Te Ope Whakaora New Zealand, Fiji, Tonga, and Samoa Territory**  
**10 March 2023**

**Summary**

- The Salvation Army welcomes the move to bring clarity around the level of methamphetamine contamination that is considered acceptable for rental properties. The proposed maximum level of 15 µg/100cm<sup>2</sup> is reasonable and should be included in regulations.
- The proposed maximum inhabitable level of 30 µg/100cm<sup>2</sup> is we believe an appropriate level that would require immediate responses due to immediate high risks to health of those living in the property.

**Background**

1. **The mission of The Salvation Army is to care for people, transform lives and reform society through God, in Christ and by the Holy Spirit's power.** The Salvation Army is a Christian church and social services organisation that has worked in New Zealand for one hundred and forty years. It provides a wide range of practical social, community and faith-based services around the country.
  - a. The Salvation Army employs almost 2,000 people in New Zealand, and the combined services support around 150,000 people annually. In the year to June 2022, these services included providing around 83,000 food parcels to families and individuals, providing some 2,300 people with short-or long-term housing, over 4,000 families and individuals supported with social work or counselling, around 6,600 people supported to deal with alcohol, drug or gambling addictions, around 3,500 families and individuals helped with budgeting, court and prison chaplains helped 3,300 people.
2. This submission has been prepared by the Social Policy and Parliamentary Unit (SPPU) of The Salvation Army. The SPPU works towards the eradication of poverty by encouraging policies and practices that strengthen the social framework of New Zealand. This submission has been approved by Commissioner Mark Campbell, Territorial Commander of The Salvation Army's New Zealand Fiji, Tonga, and Samoa Territory.

**General information**

3. The Salvation Army perspective on these regulations is informed by our work in supporting people who are homeless through our Community Ministries, Supported Accommodation

services and Housing First programmes or struggling to maintain existing tenancies (Sustaining Tenancies and Financial Mentoring services) as well as being a housing provider for transitional housing and social housing. This diverse experience means we understand very well the tensions between needing to provide secure and healthy rental housing at the same time as ensuring renters do not face unnecessary disruptions to their lives or terminations of tenancies.

### **Issues 1, 2 & 3: Regulated Levels of Methamphetamine Residue**

4. Since 2017, our Transitional Housing programme has involved a number of property stock changes and changes of tenancies with both public and private landlords. Our Transitional Housing portfolio has grown to over 800 properties. For all of which, new and replacement, we have required professional methamphetamine testing before commencing the tenancy. We also conduct routine methamphetamine screening using rapid screening kits on a 3-monthly period and arrange professional testing in the instance that these screening kits return positive for contamination above  $1.5 \mu\text{g}/100\text{cm}^2$ . In the context of this growth and regular changes in tenancy over that time, the total number of positive professional and rapid screening tests represent a small proportion of the overall Transitional Housing stock.
5. Since 2020, in total there are 50 properties for which there are professional test results available had produced results above the current  $1.5 \mu\text{g}/100\text{cm}^2$ . Thirteen had cumulative totals more than  $30 \mu\text{g}/100\text{cm}^2$  but when tested by discrete sample, or individual sample testing, only six produced results more than  $30 \mu\text{g}/100\text{cm}^2$  and only 7 tested more than  $15 \mu\text{g}/100\text{cm}^2$ . Around half (21) of the properties would have tested above  $15 \mu\text{g}/100\text{cm}^2$  on the composite potential maximum measure which adds together the results of all areas tested in one property.
6. Salvation Army Social Housing (SASH) is a community housing provider owning around 450 social housing units at locations throughout the country. The SASH team's experience is also that methamphetamine contamination is not a wide-spread issue for our housing. Baseline testing is done on units before new tenants move in. In the past five years there have been only three cases of contamination where levels were found above the current  $1.5 \mu\text{g}/100\text{cm}^2$ .
- 7.
8. **Issue 1: Maximum acceptable level:** The Salvation Army supports regulating for  $15 \mu\text{g}/100\text{cm}^2$  as the maximum acceptable level. The implication of the testing results reported above is that setting the limit at this level would hugely reduce the amount of decontamination work required in affected properties. In the case of our transitional housing services this means just 15 percent of the work done would have been required had the proposed regulated levels been in place.
9. We do not believe the composite measure, reported to us by the testing agencies we have contracted, is of any value in setting the regulated level. The potential maximum amounts provided in these reports, as if all samples were in one location, can skew the results and then require additional sampling.
10. **Issue 2 Remediation level:** We support the recommended Option 3. If the  $15 \mu\text{g}/100\text{cm}^2$  level is considered safe for people to live in the property, then the New Zealand Standard which verifies decontamination companies should be consistent with these findings. We

note the conclusion of the Gluckman report<sup>1</sup> in 2018 that a lower standard *may* be appropriate for properties identified as former methamphetamine laboratories and those where excessive use identified by high levels of contamination. However, it is not clear why a distinction should be drawn and if the 15 µg/100cm<sup>2</sup> level is deemed safe then it should apply to all properties.

11. Decontamination work requires time and costs and means properties are not available for people in urgent housing need. Costs for decontamination work vary depending on the extent of contamination but when fittings and furniture that must be disposed of are included the costs affecting our properties have ranged from \$7,000 - \$90,000 per property. Decontamination cleaning costs range from \$1,000 – \$3,000, but costs for reinstatement of fittings and carpets, repainting, replacing curtains, as well as heat pumps, extractor fans have meant total remediation costs are much higher.
12. **Issue 3 Maximum inhabitable level:** We support the recommended Option 3 that provides a balance between the safety of tenants and need to have remediation work done. We note that the Gluckman report<sup>2</sup> states that levels above 30 µg/100cm<sup>2</sup> are indicative of manufacture activity. From our own experience this limit would seem reasonable, as results higher than 30 would suggest possible use for meth manufacture but under 30 it would seem much less likely.
13. Consistency with NZS8510:2017 standard is needed, and we strongly support alignment of the Standard with regulations at the earliest opportunity. Regardless of the conclusion of this regulatory process, the providers of decontamination services will continue to be covered by the requirements of the NZS8510:2017 standard until that can be changed.

#### **Issues 4 & 5: Requirements for landlords**

14. **Issue 4 Recommended Option 4:** We support this recommendation because it represents a proportionate level of response to a serious but not widespread issue in rental housing. From our experience working with people who are at a higher risk of being in the group of users of methamphetamine or those interacting with users, the proportion of properties heavily affected by methamphetamine is very low.
15. **Issue 5 Option 2:** We do not support the recommended Option 2 as we believe the guideline ‘as soon as practicable’ gives too much leeway to landlords in responding. Landlords have a duty of care to tenants and there are timelines in place for landlords to respond for other parts of the Residential Tenancies Act such as the 14-day remedy notice to fix damage. Setting regulatory timeframes adds urgency to the situation where there is potential risk to tenants. A requirement on landlords to provide evidence that they actively seeking decontamination services within the set timeframe of 14 days would help clarify this.

---

<sup>1</sup> Gluckman, P., (2018), *Methamphetamine contamination in residential properties: Exposures, risk, levels, and interpretation of standards*, Office of the Prime Minister’s Chief Science Advisor, <https://dpmc.govt.nz/sites/default/files/2021-10/pmcsa-Methamphetamine-contamination-in-residential-properties.pdf> (p.7)

<sup>2</sup> Ibid. p.6

### **Issue 6: Testing for Methamphetamine**

16. **Option 3:** We support the recommended Option 3 that would allow anyone to perform screening tests so long as they are using approved kits, verified by ESR, or accredited lab processors. This reflects our current methamphetamine monitoring approach in Transitional Housing, which has proved to be helpful in early identification of issues for further testing and detailed assessments.

### **Issues 7 & 8: Decontamination process**

17. **Issue7: Option 2:** We support this option because it gives clarity about the level of contamination that is being remediated to and reduces the risk of clashes with differing requirements in the NZS8510:2017 standard.
18. **Issue 8 Option1:** We support this option with reservations about health and safety concerns for people doing decontamination work. The Salvation Army's experience through Transitional Housing has been with doing decontamination between tenancies. But if contamination is identified during a tenancy, we support approaches that seek to minimise disruption to tenants and that do not assume the tenants are responsible for contamination (unless evidence from testing prior to the tenancy is available that shows the contamination is likely to have come from them).

### **Issue 9: Abandoned Goods on contaminated premises**

19. **Recommended option 2:** The Salvation Army supports Option 2, but we are concerned that it might be better, as in Option 1, to maintain rules around abandoned goods that are consistent with the existing rules under the RTA and the proposed Code of Practice for Transitional Housing. Applying different rules in the situation of methamphetamine contamination creates the potential for confusion and abuse by landlords who may dispose of goods that are not contaminated and are of importance and value to tenants. We have seen a significant increase in the associated costs of disposing of contaminated goods per cubic metre or tonne and this has caused an increase in the overall decontamination costs. But on balance, we support the approach in Option 2 because of the health risks that arise from contamination.