

## COVID-19 information for boarding house landlords and tenants

10 November 2021

Boarding house landlords must allow their tenants to self-isolate in their boarding room if they are instructed by a health official to self-isolate at home due to COVID-19. Tenants must follow the guidance from the health official on self-isolation. Boarding house landlords cannot end a tenancy because their tenant is in self-isolation, or has recovered from COVID-19. Discrimination against tenants, including illnesses such as COVID-19, is an unlawful act.

If a boarding house tenant is self-isolating due to COVID-19, landlords and tenants must [follow the self-isolation guidelines](#) and pay extra attention to the [information on using shared facilities on the Ministry of Health website](#).

If you are a boarding house tenant (or a health official) and are having difficulty with the boarding house landlord when returning to the boarding house for self-isolation (or when instructing the tenant to self-isolate at home), contact our [Tenancy Compliance and Investigations Team](#) (TCIT) Operations Managers for immediate and urgent support with ensuring the landlord complies with their obligations and responsibilities when a tenant is instructed to self-isolate at home.

Availability	TCIT Operations Manager on call
Monday & Tuesday	Dan Herlihy +64 21 814 250
Wednesday & Friday	Clare Lyons-Montgomery +64 21 812 519
Thursday, Saturday & Sunday	Francisco Maiava +64 21 842 618

If the issue is not about a tenant unable to gain access to their home for self-isolation, or that is a situation where the health official deems as non-urgent, or that is relating to other issues in a tenancy, then the TCIT Operations Manager may attend to the query on the next business day.

Landlords and tenants should talk together and agree on any necessary changes to the boarding house arrangements or house rules to include the self-isolation guidance, to support the person in self-isolation, and to protect other tenants from COVID-19. [See Tenancy Services website for more information on boarding house tenancies and landlord requirements.](#)

Discrimination against tenants is unlawful under tenancy law when it breaches the Human Rights Act 1993. For example, it is unlawful to:

- not grant a tenancy to a person for any of the prohibited grounds of discrimination, for example because of their race, nationality, or disability. Disability includes physical illness, or the presence in the body of organisms capable of causing illness. This includes COVID-19.
- discriminate when deciding to continue, extend, renew, vary, or to end a tenancy.

Discrimination against tenants who are self-isolating at home due to, or who have recovered from, COVID-19 is an unlawful act and could be liable for up to \$6,500 in exemplary damages under the Residential Tenancies Act 1986. [See Tenancy Services website for more information on discrimination.](#)

If you are in an accommodation arrangement that is not covered by the Residential Tenancies Act 1986, such as flat/house sharing, and you think you have been discriminated against, [you can contact the Human Rights Commission.](#)

If you live in a boarding house, or are in the flat/house sharing arrangement, and someone in the premise is of higher risk to COVID-19 or other communicable diseases, you should take precautions to protect yourself and to help protect others in your household. For more information, visit the [Unite Against COVID-19 website](#) or the [Ministry of Health website.](#)

There is [information on what the COVID-19 restrictions mean for landlords and tenants on the Tenancy Services website](#), including information for boarding house landlords and tenants. This information is updated regularly as the Health Order changes.

### **Guidelines for Accepting Calls from MOH**

Tenancy Compliance & Investigations staff will be available immediately to accept calls of an urgent nature to enable support and advice for MOH.

- Urgent Calls Day & Night – If MOH is confronted with a situation, either during the day or night, where the landlord refuses to allow the infected person back into the property to self-isolate and advise and support is required immediately to deal with the situation, I would expect them to call me. I will have my work phone with me at all times.
- If MOH deems the situation non-urgent, however, they still need some advice and support but can wait to be dealt with the next day.
- Any other issues of a tenancy related nature associated with boarding house landlords or private landlords, happy to take a phone call during normal business hours.
- All Regional Ops Managers have been advised to have their work phones with them as standby in case the on call person is not in a position to take the urgent call.
- The on duty roster to be effective immediately.

### **On Call Roster**

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Dan Herlihy	Dan Herlihy	Clare Lyons Montgomery	Francisco Maiava	Clare Lyons Montgomery	Francisco Maiava	Francisco Maiava