

Copyright is owned by the Author of the thesis. Permission is given for a copy to be downloaded by an individual for the purpose of research and private study only. The thesis may not be reproduced elsewhere without the permission of the Author.

**Engaging the voices of residential property managers in understanding and  
improving issues in the Auckland rental market.**

This thesis is presented in fulfilment of the requirements for the degree of

Master of Health Science

in

Psychology

at Massey University, Albany, New Zealand

Niall Austin Heeney

2024

## Abstract

In Aotearoa-New Zealand (A-NZ) renting accommodation has become a lifelong prospect for many households. In a context typified by rental unaffordability and unavailability, poor housing quality, and tenant insecurity, renters face worse physical and mental health outcomes than owner occupiers, with these issues disproportionately impacting Māori and Pacific peoples. Property managers (PMs) currently manage almost half of the rental properties on behalf of property owners in A-NZ and given the current rental context they exist in a dominant power position in relation to tenants. Despite this, very little research has been conducted on this stakeholder group. This study therefore considers the field of property management by exploring the experiences of PMs working in the Auckland region. Semi-structured interviews were conducted with six PMs, interviews addressing a range of core topics, including personal responsibility, discrimination, the experience of being a PM, power differentials and current legislation. Interpretive phenomenological analysis (IPA) was used to analyse transcripts. Participants discussed systemic issues within the property management industry, including discrimination against Indian people, single mothers, South Aucklanders (including Māori and Pacific peoples), and those who use social support resources such as state housing. Responsibility for rental issues was typically externalised onto tenants utilising notions of personal responsibility. PMs also revealed how systemic issues impacted themselves, often leaving them in disempowered positions which could impact their health. They spoke of being treated as disposable, being given little training or support, being assigned excessive rentals to manage, and being worked for maximum profit regardless of the impact. In part, the above can be seen as enabled by the lack of property management legislation or requirements for entry into the profession. While participants supported some level of legislative protections for conduct within the property management industry, there was a general anti-legislation sentiment. This, along with the emphasise on personal responsibility, accords with contemporary dominance of neoliberal notions which counters legislative regulation and systemic understandings of social issues. Despite this, there was near universal agreement that some form of PM licensing was important for the professionalisation of the industry. This study argues that this is necessary for the health of both tenants and PMs. Further, increased legislation of the industry is

generally required, otherwise tenants will continue to be reliant on the individual ethics of PMs and racist and discriminatory trends in the management of rental housing will continue.

## Acknowledgements

I could not have achieved this without the support of the people below. I have been blessed with incredible teachers, family, and colleagues.

Dr Clifford van Ommen was the backbone of this project. Wherever I faltered or lost faith, he kept things moving. His kindness never wavered if he felt frustrations they never showed. I had my first child part way through this project. He is now one and a half. In Clifford I got the supervisor I needed for this moment in my life.

Dr Pita King added a spark of joy to the project, improving the quality of the work, and the flow of ideas through this spirit. His continued cultural support also allowed me to feel more comfortable, as a Pākehā person, engaging with data related to ethnicity and knowing this was done in a thoughtful manner.

Both of my supervisors encouraged me specifically to look into new ideas and approach things in my own way. The spirit of invitation, and genuine interest in the project and the wider health landscape made me excited to create this piece and attempt to add something novel to the discourse on renting in A-NZ.

To my long suffering wife, Giulia, thank you. Thank you for all the times you listened to me rant about this project. Thank you for working full time so I could afford to do this. Thank you for being my partner, building this family with me, and in doing so, giving me the drive to achieve.

My father once told me that a day where my high school did not call him to complain about me was a good day. Even still, my parents have always supported me. Without all of the childcare, food parcels, and anything else we needed, I would not have had the resources to complete this project. You are my foundation. Thank you both.

Thank you to all of the people who chose to participate in this study. It was through the grace of people who had no obligation to help me that this study was created. I hope that I have captured the complexity of your industry and the good work that you do.

To my son, Oliver, for whose entire life I have been working on this thesis. Thank you just for existing. You made this so much harder. I love you.

Finally, thank you to all of the counselling supervisors I have had professionally, Sahrish, Yoshiro, and Denise. I have had nothing but amazing mentors. They taught me all of the counselling skills which I employed in the interviews for this study. Beyond that, they taught me to be a dedicated member of the healthcare community, which is what ultimately brought me here.

*This project has been evaluated by peer review and judged to be low risk. Consequently, it has not been reviewed by one of the University's Human Ethics Committees. The researcher(s) named in this document are responsible for the ethical conduct of this research.*

## Table of contents

Abstract.....	iii
Acknowledgements.....	v
Table of contents.....	vii
Chapter 1: Introduction and literature review.....	1
1.1 Introduction.....	1
1.2 Housing context.....	1
The changing nature of housing.....	1
The human right to decent housing.....	3
Affordability, security of tenure, and availability.....	5
Rental housing stock.....	7
1.3 Renting and health.....	8
Power to control one’s own health.....	8
Housing and mental health.....	8
Housing and physical health.....	10
Healthy homes and positive health generation.....	12
Housing and health impacts for Māori and Pacific peoples.....	12
Historical context.....	14
Legislative protections.....	16
Power dynamics and self-reporting.....	18

The dimensions of power.....	19
1.4 Property management.....	20
The role of property managers.....	20
Property managers as agents of the landlord.....	21
Property managers as protectors of tenants.....	22
Systemic issues within the property management industry.....	23
Proposed PM legislation.....	24
Reactions to the proposal.....	25
Chapter 2: Methodology and Method.....	26
2.1 Introduction.....	26
2.2 Methodology.....	26
Method of data collection.....	26
Trustworthiness.....	27
Ethics.....	28
Reflexivity.....	29
Analysis.....	30
2.3 Method.....	32
Interviews.....	32
Sampling.....	33
Participants.....	34
Setting.....	35

Chapter 3: Findings.....	37
3.1 Introduction.....	37
3.2 Systemic issues.....	37
Introduction.....	37
Personal responsibility and mould.....	38
Desperation for housing.....	40
Racial discrimination.....	45
Race and area.....	49
Power over tenants.....	53
3.3 The property manager experience.....	56
Introduction.....	56
Company culture.....	57
Financial drivers.....	59
Low training, high turnover.....	61
Impacts on property managers.....	64
Caring.....	67
Property management changes how one sees people.....	68
Relationship with landlord is priority.....	70
3.4 Legislation.....	75
‘Rich-Prick’ landlord characterisations.....	75
Healthy Homes.....	79

Housing Warrant of Fitness.....	81
Proposed property manager Legislation.....	85
Tribunal.....	88
Chapter 4: Discussion and Conclusion.....	93
4.1 Introduction.....	93
4.2 Reflections on theme one.....	93
Pervasive personal responsibility narratives.....	93
Systemic discrimination as a counter argument to personal responsibility.....	94
Neoliberalism and ‘failed’ tenants.....	96
Structural violence.....	97
Power.....	97
4.3 Reflections on theme two.....	99
Relatable experiences.....	99
Inter-company differences in properties assigned.....	100
Emotional labour.....	101
The three dimensions of power.....	103
4.4 Reflections on theme three.....	105
Defending a largely anti-legislation perspective.....	105
Healthy Homes and a potential housing WOF.....	107
Necessary property management legislation.....	109
The Tribunal, framed as harmful.....	110

4.5 Conclusion.....	112
Solutions.....	112
Future/limitations.....	113
References.....	115
Appendix A – Information Sheet.....	123
Appendix B – Consent form.....	123

### **Table of tables**

Table 1 - Main theme and ordered sub-themes for Systemic Issues.....	37
Table 2 - Main theme and ordered sub-themes for The PM Experience.....	57
Table 3 Main theme and ordered sub-themes for Legislation.....	75

## **Chapter 1: Literature review**

### **1. Introduction**

The aim of this research is to provide unique insights from property managers (PMs) regarding themselves, their industry, and the private rental market (PRM) more broadly, as a means of improving access to decent housing, and thereby the health of renters. This chapter serves to outline key aspects of the Aotearoa/New Zealand (A-NZ), and more specifically Auckland, housing market, how these relate to health, and the role of PMs in this dynamic. This includes a discussion of the current housing context in A-NZ, as a means of understanding the nature of its PRM. Issues within the PRM are then related to issues with mental and physical health, establishing the connection between addressing housing issues and attempting to improve health outcomes. Finally, an outline of the current property management industry is given, discussing how it interacts with issues within the PRM, and the debate regarding the lack of registration or training requirements for PMs.

### **2. Housing context**

#### **The changing nature of housing**

Renting is now a long-term or even permanent situation for many in A-NZ (Auckland council, 2021; Eaqub & Eaqub, 2015). I argue here that this represents a shift in the national paradigm. Despite rates of ownership being in decline since 1991, home ownership is still central to the A-NZ dream (Eaqub & Eaqub, 2015). According to Statistics New Zealand (2020) home ownership rates have reached their lowest levels in approximately 70 years, with rates peaking in the 1990s at 74% and then falling to 65% as of the 2018 census. Changes in ownership rates across this period were also more significant for vulnerable populations, such as young people, with homeownership rates for people in their thirties falling from their peak of 79% to 59%.

In a report outlining their long term vision for Auckland by 2050, the Auckland council stated it is important that renting does not become a second-rate option, compared to home ownership (Auckland council, 2021), however this is arguably already the case. Owning a home has long been seen as a rite of passage and as a central part of A-NZ's national identity (Eaqub & Eaqub, 2015). This prioritising of ownership positions renting as less desirable. Partly, this is because renting is viewed as a temporary stop on the road to home ownership (Byrnea & McAdleb, 2020). This allows for the needs of renters to be viewed as less important, as issues faced in renting are considered temporary. Rental accommodation is also viewed less as the tenant's home and more as the landlord's investment in cultures where owning a home is seen as the norm (Byrnea & McAdleb, 2020).

Owning a home is an important part of generating and passing on family wealth in A-NZ (Statistics New Zealand, 2020), with multiple factors making this form of wealth generation particularly meaningful. A-NZ lacks a comprehensive capital gains tax, making it the only OECD country without one (Venuto, 2023). While there is a capital gains tax, of a kind, on paper, it only covers properties which were bought with the intent to be sold for capital gains (Equab & Equab, 2015). This gives it limited usefulness as intent is poorly defined and the law is rarely enforced. On top of this, property prices, particularly in Auckland, have displayed consistent increases in value over time. For example, based on their sales data, Barfoot and Thompson (2015) report that average prices for three bedroom homes have seen a 94% increase between 2005 and 2015. Prices continuing to rise, even through the 2005-2010 period, during the global financial crisis, underlies the reliability of housing investments in A-NZ (Barfoot and Thompson, 2015). These factors create a financial barrier to renting being seen as equal, as home ownership has long been seen as a stable means of making money (Equab and Equab, 2015).

Equab and Equab (2015) describe the distance this ongoing process is creating between property owners and those who are forced to rent, as a typical in-group, out-group issue. Homeowners, as the in-group, have gained through house price increases over successive years and will use all of their power to protect this. While renters, representing the out-group, are now at risk of being permanently locked out of the housing market. The value placed on ownership and its role in creating generational wealth also means that renting can be seen as failing to

achieve. Homeowners, conversely, are perceived as having achieved an aspirational position of easy wealth generation and future family prosperity. This creates a social perception of renters as inferior or failing to achieve. This perception can also be experienced by renters themselves, as massive psychological pressure can result from a sense of failure to uphold cultural norms (Equab & Equab, 2015). The cultural norm of buying a home can imbue overwhelming expectations of home ownership, and those who cannot become homeowners may feel excluded from society. These examples demonstrate the national importance of home ownership, and the level of difficulty A-NZ may have in moving the national culture away from home ownership and towards renting.

The increasingly exclusionary housing market and the related cultural issues also disproportionately impact non-Pākehā populations. Support from parents, who are already wealthy or property owners themselves, is increasingly one of the only ways younger people are able to enter the property market (Eaqub & Eaqub, 2015). This is additionally meaningful as rates of home ownership are lower across vulnerable populations, such as Pacific and Māori peoples (Statistics New Zealand, 2021). Pacific and Māori people are therefore at greater risk of being locked out of home ownership. This would lock them out of an important aspect of A-NZ culture and vital means of generating prosperity. This is problematic as it can create two tier housing and social systems, where those who rent are seen as lessor and their needs as less important, while also having fewer opportunities to ever purchase a home and change this. This would position Māori and Pacific peoples as lessor and provide them less opportunities in life.

### **The human right to decent housing**

The right to decent housing (a healthy home) is discussed by organisations, such as The Auckland City Council, The New Zealand Human Rights Commission, The World Health Organization, and The United Nations (Auckland council, 2021; Human rights commission, n.d.; World health organization, 2023; United nations, 2024). However, the right to decent housing is not directly established by the New Zealand Bill of Rights Act (1990). Rather, within A-NZ, this right is based on the right to a decent home established in the United Nations' International Bill of Rights (1966) and ongoing commitments from successive A-NZ governments to honour this

(Human rights commission, n.d). The right to a decent home is also upheld in A-NZ by the Human Rights Act (1993), through their stated commitment to protecting human rights in accordance with covenants and conventions regarding human rights from the United Nations. This is a commitment of sorts, however it is a loose one. The United Nations outline seven key aspects of housing systems which are required for housing to be considered adequate (United nations, 2024). These include:

- Location - Housing cannot be cut off from essential services one requires to thrive, such as employment opportunities, or be subject to environmental conditions which may physically harm tenants.
- Accessibility - Housing must take into account specific needs for marginalised or disadvantaged groups.
- Habitability - Housing must guarantee physical safety and provide enough physical space. This includes protection from structural hazards, wind, rain, damp, heat, and other threats to health.
- Affordability - Housing costs must not threaten other human rights of occupants.
- Availability of services - Housing must provide basic amenities, such as clean water, to occupants.
- Security of tenure - Occupants require a level of tenure security, guaranteed by legal protections, regarding harassment and forced evictions.
- Cultural adequacy - Taking into account the need for expressions of cultural identity.

While it may feel obvious to prioritise the human right to decent housing, there is a complex tension between human rights and property rights which makes finding and implementing solutions difficult in A-NZ. Therefore, bold ideas are required for all Aucklanders' to have access to adequate housing, which is their basic human right (Auckland council, 2021). Access to housing is limited for several reasons, however one major driver of house prices is investor demand (Equab & Equab, 2015). Investing heavily into housing is a cultural norm and New Zealanders hold a deeply embedded belief in housing as a good investment (Equab & Equab, 2015). Adding to this, historically A-NZ house prices have consistently increased beyond that of general prices, making them a reliable investment. In their report on housing as an

investment in A-NZ the reserve bank stated over 50% of all household assets in A-NZ are invested into housing (Carvalho et al., 2022). Often thought is not given to one's investment property, due to this strong culture of investment, and investors become landlords by accident, without considering the wider social consequences of such a preoccupation with housing as investment (Equab & Equab, 2015).

Another factor which adds to this tension is that many of those with power in the housing space, such as the government, landlords/investors, property management companies (PMCs), and PMs, have a stake in maintaining the current system. For many this relates to their ability to profit from the current system. For example, those who invest in housing are betting on ever-increasing capital gains (Equab & Equab, 2015), while PMs are paid a percentage of rents for the properties which they manage (Tenancy Services, 2022). For other actors, such as the Government, maintaining the current system may present as the politically expedient thing to do. A-NZ politicians fear losing votes and therefore treat the capital gains tax as a taboo subject (Venuto, 2023). As this sub-theme has demonstrated, there is a strong cultural and financial expectation regarding the continued ability to generate wealth through housing investments in A-NZ, and powerful actors in the space are therefore incentivised to resist change.

### **Affordability, security of tenure, and availability**

Human rights are an important lens through which to view housing in A-NZ, as we are arguably failing across many of the above metrics. Such issues are demonstrated here, through discussion of three key aspects of the right to housing, affordability, security of tenure, and availability.

In A-NZ unaffordable housing has created a generation who are not renting by choice, but because they lack other options (Eaqub & Eaqub, 2015). From 2014-2017 average house prices in Auckland increased by 45%, making Auckland one of the most unaffordable housing markets in the world (Fernandez, 2019). The Demographia International Housing Affordability Survey (2021) characterised middle income housing in A-NZ as 'severely unaffordable'. Rents and the PRM have also been described as unaffordable by landlords, PMs, and tenants (Reid, 2017; Joynt, 2017). This places many in the position of attempting to find housing in a PRM in which there are no affordable options. According to Statistics New Zealand (2023), as of June 2022, one in four households were paying over 40% of their disposable

income in rent. Households spending this level of their income on housing are likely to become unable to meet other everyday needs (Statistics New Zealand, 2023). The impact of this dynamic is also more common with low-income households. This is evidence of A-NZ failing the right to affordable housing, as outlined by the United Nations, as housing costs are impacting access to other everyday needs which are themselves a right.

In New Zealand's 2018 census results, renters were far less likely than owner-occupiers to have lived for a long period of time in their home (Statistics New Zealand, 2021). Landlords ending their tenancies was the number one reason given for renters who had moved within the last five years. This demonstrates that renting presents a significant disadvantage to owning a home, with regards to security of tenure. It also demonstrates the ongoing power landlords have to remove tenants and the relatively little power that tenants have to feel secure in their living arrangements. Many sources discuss tenants as unwilling to raise issues with their property or living conditions for fear of reprisals from the landlord which could jeopardise their current tenancy or make it harder to obtain tenancies in future (Chisholm et al., 2020; Joynt, 2017; Regulation, n.d; Reid, 2017). This demonstrates that tenants' rights to security of tenure are being breached, and that this lack of security further impacts tenants' willingness to fight for their rights.

These factors also impact the availability of decent housing for many groups. In a study in which landlords, PMs, and tenants from A-NZ were interviewed, participants described access to properties as highly competitive (Joynt, 2017). Tactics such as multi-occupancy arrangements were commonly used to secure rental housing, based on issues of competition and increasing prices (Joynt, 2017). The extent to which these adaptive tactics impact some groups more than others is shown in overcrowding statistics, as 3.7% of the general population, 14.5% of the Māori population, and 29% of the Pacific population live in housing which is crowded or severely crowded (Statistics New Zealand, 2023). This also demonstrates an issue which will continue to be present in this study, that of non-Pākehā peoples more commonly experiencing housing related issues. Rather, the human rights of non-Pākehā peoples are more commonly violated.

Through these statistics we can see the ways in which issues of availability can impact other aspects of the right to decent housing, such as habitability. Low availability is also likely increasing the power disparity between tenants and landlords discussed above. This is because tenants perceive the option to move as restricted to those who are able to obtain housing that is in the right location, affordable, and meets their other needs (Joynt, 2017). As this sub-theme demonstrates, many Aucklanders do not hold such a position.

### **Rental housing stock**

The condition of Auckland's rental housing stock is one factor impacting renters' health and reducing the viability of renting as an equally desirable long term option. According to the 2018 census results, approximately one third of households in A-NZ are not owner-occupied, with the bulk of these households (31.9%) being rented (Statistics New Zealand, 2021). Despite the large population of renters, rental housing has been found to be more likely than owner-occupied homes to experience damp, mould, and persistent cold (Statistics New Zealand, 2021). A fifth of homes experienced damp some of the time, renters, however, were twice as likely to experience dampness than those who owned their home (Statistics New Zealand, 2019). Renters are approximately seven times as likely to live in a home that was always damp. Renters were also found to be more than twice as likely than owner-occupiers to experience mould (A4 sized), with one in five rental dwellings having mould which was sometimes present, and one in ten rental dwellings having mould which was always present. Regional variations were also highlighted in the census, with Auckland being one of the three cities which most commonly experienced issues with mould and damp.

These issues are in part due to the age of rental properties, in comparison to when new building codes and standards were introduced, and the unmet need for repairs on many rental properties (Statistics New Zealand, 2021). Statistics New Zealand (2020) found that, compared to owner-occupied housing, rental housing is more likely to be older, smaller, and require major repairs. Older housing is correlated with damper housing in A-NZ, in part due to the history of poor building practices and relatively recent introduction of improved building codes. This is

demonstrated by 67% of tenants believing maintenance or repairs are required on their rental property (Statistics New Zealand, 2015). This suggests that over half of those utilising A-NZ's rental housing stock do not feel its standards are meeting their needs. The condition of A-NZ's rental stock demonstrates another source of contention between renters' rights to decent housing and the desire from landlords to avoid expensive repairs.

### **3. Renting and health**

#### **Power to control one's own health**

The lack of choice and power tenants experience is relevant to the issue of housing as a human right, as renters are more likely to experience low quality housing (Statistics New Zealand, 2023). Housing is a key modifiable determinant of health (Auckland council, 2021), meaning modifying the quality of a person's housing is a key means of modifying their health outcomes. This demonstrates the way in which people lacking the right to decent housing impacts their other rights, such as the right to health. This is important as through having no option but to rent, and often little control over which properties they are able to rent, renters have a key element of their health removed from their personal control. The World Health Organization (2023) defines health as not simply a lack of infirmity or disease, rather health is determined by one's mental and physical wellbeing. Issues in the PRM and inequality between renters and landlords are important as they impact health, on a national scale. If people are being required to rent indefinitely, the government has an obligation to meet their internationally recognised rights to decent housing and health, ensuring tenants are not forced into an unhealthy rental system.

#### **Housing and mental health**

Several studies highlight the link between poor housing and worse mental health. In a systematic review of longitudinal studies regarding the impact of poor

housing on mental health, Singh et al. (2019) found associations between mental health and poor housing on at least one metric in each study. They describe their findings as reinforcing ideas of housing as a key determinant of mental health. Similarly, Brooks et al. (2023) conducted a scoping review of thirty studies regarding the relationship between damp/mould and psychological wellbeing. They found a significant amount of variance in psychological wellbeing is related to mould and damp. Beyond this, living in such conditions made participants fearful of potential physical health issues, and it made them self-conscious regarding potentially smelling damp themselves. These studies demonstrate the significant relationship between damp housing and psychological issues present in the current body of academic research on housing and health.

In a narrower example, Clark et al. (2022) researched energy poverty in students. They found that issues like being constantly cold at home had a direct impact on participants' mental health. They also found that energy poverty reduced their ability to engage in daily tasks and health-promoting behaviours (Clark et al., 2022). This is an example of high costs for renters impacting their mental health both directly and indirectly. The cold negatively impacts their mental health, while also reducing their ability to improve their mental health.

Serjeant et al. (2022) researched how tenants respond to the difficulties they face in winter. They found that attempting to make a home in unhealthy housing was a very stressful experience for some participants. This is another example of renting reducing one's ability to engage in positive health behaviours, such as home-making. This demonstrates that not only are renters living in unhealthy homes physically, but it is also turning home-making into an experience which is negative mentally. Other participants, living in homes which did not protect them effectively from the elements, had given up on finding ways to manage the weather within their home. For some, this lack of engagement in keeping their homes warm and dry came from a sense of frustration with the continuous effort needed to manage their low-quality housing. Participants reported feeling the issue was unlikely to get fixed if it was raised, as the problem was often not a single thing, but rather related to the housing quality in general. Raising the issue was also seen as a negative because it represented engaging in more continuous effort. For others, they avoided dealing with

maintenance issues, as they worried that improving the condition of the house would lead to a rental increase. In these ways, tenants avoid advocating for their own health as they do not feel they have the power to get changes made, or to protect themselves from the potential negative consequences of asking for, or receiving, repairs.

The participant responses for Joynt (2017) touch on some potential explanations for the issues raised above. Participants discussed that a sense of general decline in the quality of available rental stock, and tenants' lack of power to effect change have created an acceptance of poor housing as a norm. This reinforces the idea that tenants may be giving up on trying to improve their housing quality, due to perceived power dynamics. Joynt (2017) also found tenants' fear of rental increases were more commonly reported than actual rental increases. This is an example of tenants' perceptions of the housing situation impacting their psychological wellbeing. This exemplifies the ways in which tenants' views regarding their situation and their power have real world impacts.

### **Housing and physical health**

Physical health is also shown to be significantly impacted by housing. In a meta-analysis regarding the impact of overcrowding on health Baker et al. (2013) found consistent associations with close contact infectious diseases and overcrowded housing. This included increased risks of gastroenteritis, influenza, and bronchitis. Mouldy, damp, and cold housing, discussed previously as more prevalent in rentals, has been linked to poor health in many A-NZ studies (Bennett et al., 2016). When renters who suffer the ill effects of poor housing become hospitalised, they are often treated, only to return to the housing situation which created the original illness (Auckland council, 2021). This is a large-scale issue within A-NZ, with 24,765 Auckland homes containing mould larger than A4 page-size all of the time (Statistics New Zealand, 2019). This demonstrates the importance of further action to improve housing, as a means of improving physical health outcomes, as addressing health issues in other ways can only provide temporary improvement when the home environment is unhealthy.

As many tenant families are now unlikely to ever become homeowners, the availability of affordable, healthy rental accommodation is central to the wellbeing and health of A-NZ's children (Dale, 2017). Brown et al. (2023) state issues related to poor housing conditions, such as dampness, cold, and mould, are linked to increased rates of hospitalisation, and this is more common with children. They continue, that for young children there are known correlations between household income, housing conditions, and hospitalisation rates. Statistics New Zealand (2022) found that children living in rental accommodation were strongly represented on poverty measures. Children living in rentals accounted for 80% of the children living with hardship, with one in five children in rental dwellings experiencing material hardship. This is significant to the health of children, as living in poor quality housing that is also high cost doubles one's risk of hospital admittance for pneumonia, and for meningococcal disease, and rheumatic fever, making it the most significant risk factor for these illnesses (Dale, 2017). Such illnesses can also create lasting negative health impacts throughout one's life. Expanding on this, Ingham et al. (2019) found that, there is a dose-response relationship between measures of housing quality, particularly dampness and mould, and children's hospitalisation rates for acute respiratory infections (a serious cause of childhood morbidity). This suggests there is a causal link between childhood hospitalisations and housing quality, and hospitalisations could be significantly reduced by improving housing conditions for children.

Cost of housing can be another significant factor in the health of renters. A-NZ's poor housing stock quality means that heating many households to a healthy standard is too expensive, making it difficult for many to afford the energy required to remain dry and warm (Brown et al., 2023). 20% of households report they lack income required to heat their homes adequately, with this number rising to 37% for households within the lowest income quintile. Health issues related to housing can also be exacerbated by the common need for renters to make trade-offs between housing costs and other essentials, such as heating, health, services, decent food, and housing costs (Auckland council, 2021). The number of renters facing energy hardship have progressively increased with increasing housing costs (Brown et al., 2023). This demonstrates that housing issues do not exist in a vacuum and those in poor housing will often face other economic and health difficulties. As the price of

housing goes up, this will leave many choosing between essential elements of their life and health needs.

### **Healthy homes and positive health generation**

While it is important to highlight the ways in which an unhealthy home can be damaging, it is also important to recognise the loss of potential positives for one's health that living in decent housing represents. A healthy home can provide a positive foundation for wellbeing and health (Auckland council, 2021). Despite this, Garnham et al. (2022) highlight the fact that there is comparatively little research regarding how housing can form a base for positive health generation. This is important to consider, as it is not just the negative impacts of renting which can make life difficult for renters. It is also the absence of the many benefits that owning one's own home provides that can cause renting to have such a different and more negative impact on one's wellbeing. In their study Garnham et al. (2022) found that a home may represent a recuperative space where one can shelter from stressors, and that they can also provide a sense of social status and autonomy. Housing security is also linked to economic and social participation, childhood development, family functioning, as well as physical and mental health (Hulse & Milligan, 2014). Hulse and Milligan (2014) highlight the sense of deep psychological satisfaction that comes from housing security and consistency, experienced by owner-occupiers. There is an interplay between needs for physical wellbeing and needs for psycho-social well being, such as security, identity, and privacy in the context of housing (Hulse & Milligan, 2014). This demonstrates that having a healthy home actively improves one's health, while having an unhealthy home can deprive renters of access to those health promoting benefits.

### **Housing and health impacts for Māori and Pacific peoples**

The relationship between health and housing is more significant for Māori and Pacific peoples, both historically and in the current context. Compared with other ethnic groups, Pacific and Māori peoples are less likely to have their home in a

family trust or to own their home (Statistics New Zealand, 2021). Pacific and Māori peoples are more commonly living in housing impacted by mould and dampness than other ethnic groups. While a fifth of the overall A-NZ population live in homes which are often or always too cold, two fifths of Pacific residents live this way. As previously discussed, Māori and Pacific populations also face significantly higher rates of overcrowded housing than the general population (Statistics New Zealand, 2023).

The impacts of this increased housing deprivation for Māori and Pacific peoples are demonstrated through increased rates of health issues, such as respiratory illnesses. Statistical data has linked household mould to asthma and more frequent flus and colds, which require an increased number of care and sick days (Statistics New Zealand, 2021). The asthma and respiratory foundation of New Zealand states Pacific and Māori children experience far higher risk of hospitalisation or death caused by preventable disease related to housing (Barnard & Zhang, 2018). Rates of hospitalisation for bronchiectasis for Pacific and Māori people were also found to be 6.2 and 3.8 times that of people who did not identify as belonging to Pacific, Māori, or Asian ethnicities (Barnard & Zhang, 2018). These statistics demonstrate the complex ways in which poor housing can impact the wellbeing of Pacific and Māori renters. They can be hospitalised by an illness, but they can also face indirect issues like increased difficulty in attending work and earning needed money, due to increased rates of illness. Such issues are likely to be more significant for groups who are already struggling financially. Statistics New Zealand (2021) stated housing costs composed a significant part of many households total expenditure and that Pacific and Māori people were among the groups who most frequently rated their housing as unaffordable. As discussed above, high rents often force renters to choose between housing and their essential needs (Statistics New Zealand, 2023). This demonstrates that many Pacific and Māori people face a wider range of meaningful impacts from living in unhealthy homes, as well as worse direct health consequences than other populations.

There may also be significant differences in mental health related to housing for Pacific and Māori peoples. For example, those with problems related to housing quality also commonly experience worse mental health, measured by the WHO

wellbeing index (Statistics New Zealand, 2021). Severe housing deprivation rates for Māori and Pacific peoples were approximately six and four times higher respectively, compared to deprivation rates for Pākehā people (Statistics New Zealand, 2021). This suggests that inequality in housing is likely causing additional mental health pressures for Pacific and Māori peoples.

### **Historical context**

When considering the current conditions faced by Māori and Pacific renters in Auckland, it is necessary to consider the historical context. Prior to World War Two, more than 80% of Māori lived rurally (Meredith, 2005). During World War Two young Māori who were unable to serve in the military became 'manpowered' into industries which supported war efforts, beginning the so-called 'urban drift'. This was encouraged by diminishing growth and employment prospects rurally, as well as an increased need for labour in cities. Migrants were often forced to live in inner-city suburbs, which were depressed at that time. While others found housing through the Department of Māori Affairs, who scattered the housing provided for Māori throughout Pākehā neighbourhoods. This was seen as preferable to grouping Māori into a single place, however, as numbers of migrants grew, state housing was eventually concentrated in suburbs such as Te Atatu, Otara, and Mangere, which became Māori communities.

Similarly, immigration of people from the Pacific Islands to A-NZ increased following World War Two (*"The dawn raids,"* 2023). This immigration to Auckland was encouraged by business and government to fill labour needs in developing industries (*"The dawn raids,"* 2023). Pre-war, the inner city had a largely Pākehā population, however post-World War Two, as suburbanisation in Auckland increased, the inner city's population declined, as did the status associated with living there (Friesen, 2009). Running parallel to this was a period of rapid ethnic diversification, including Pacific populations settling in the inner city (Friesen, 2009). Over time, increasing Pacific populations led to the establishment of a more organised and stable Pacific community through the 1960s and 1970s (*"The dawn raids,"* 2023).

Despite this, a number of factors have caused a redistribution of Pacific populations within Auckland subsequently. Projects such as motorway construction, caused housing to be cleared out in inner city suburbs through the 1960s and 1970s (Friesen, 2009). This impacted suburbs such as Arch Hill (Friesen, 2009), which in the mid 1960s had a sixty four percent Pacific population (*"The dawn raids,"* 2023). Adding to this, young professionals who were commonly young, well educated, and Pākehā started buying and renovating the cheaper housing near the central business district in the 1970s (Friesen, 2009). The resulting changes impacted lower income families' ability to access rental properties in the gentrifying market (Friesen, 2009).

At that time, Pacific people also faced discrimination when trying to rent a property (Friesen, 2009). This discrimination was partially related to the 'dawn raids'. The dawn raids were a series of police raids which largely targeted Pacific people (Vea, n.d.), having framed them as people overstaying their visa, or just 'overstayers' (*"The dawn raids,"* 2023). The dawn raids began in the 1970s and during that time Pacific peoples were used as a scapegoat for A-NZ's social and economic issues (*"The dawn raids,"* 2023). This was partially enabled by the idea of Pacific Islanders causing problems and being a threat to the A-NZ lifestyle already being common (Mitchell, 2003). These racist anxieties were additionally cultivated by the National Party, as a means of discrediting Labour's immigration policy and management of A-NZ (Mitchell, 2003). The National Party candidate, and later prime minister, Robert Mouldoon used narratives about the "ordinary bloke" as a key political motif. This allowed him to define what an A-NZ citizen should be, and who did not belong. As a result Pacific peoples were stereotyped and developed a reputation as poor tenants, forcing them into Auckland's worst housing. All of this occurred, despite the fact that Pacific islanders did not represent the bulk of illegal overstayers, who were more commonly from North America and Europe (*"The dawn raids,"* 2023). This underlies the fact that much of this scapegoating, as well as resulting rejection of Pacific people as legitimate tenants, came from the power to define other groups as a particular 'race' and profit from those narratives. Just as Māori and Pacific people had been driven towards the inner city when it was becoming depressed, they were now being forced out of the inner city as it gentrified. These forces drove relocation to the state housing built in peripheral suburbs (Friesen, 2009).

## **Legislative protections**

Where a resource essential to human rights, such as housing, is largely controlled by the private sector, legislative industry controls are needed to mediate between parties. This is particularly necessary where there are significant power imbalances and racial disparities, as we see in A-NZ. At present the pieces of legislation designed to protect tenants from unhealthy housing are in many ways ineffective. Modern legislative control over rental standards were introduced with the 'Building Code and Health Act' (1956) and the 'Residential Tenancies Act' (1986) (RTA).

In its current iteration, the Building Act (2004) is designed to regulate building work and building standards. Two stated aims of this regulation are to ensure buildings are safe, and therefore do not endanger health, and that buildings appropriately support the health. However, much of A-NZ's housing stock was built before 1977, the year where changes which reduced issues of mould and dampness in new houses were made to the building code (Statistics New Zealand, 2021). Changing the building code only improved the housing quality of those living in houses constructed after its implementation. In A-NZ 53.5% of homes were built within the last 40 years (Statistics New Zealand, 2021), meaning a significant percentage of its housing stock was built before changes to the building code.

The RTA codifies the legal responsibilities of tenants and landlords/PMs. This includes information about damage and who is liable for repair costs in different situations, as well as general protection for tenants and prospective tenants against discrimination. In 2019 new legislation, in the form of The Residential Tenancies Act (Healthy Home Standards) Regulations 2019, came into law (Ministry of Housing and Urban Development, 2024). This was done as a means of addressing issues of housing quality, setting minimum standards for drought stoppage, dampness and drainage, ventilation, insulation, and heating. Despite the law changing in 2019, the deadline for all rental properties complying with the minimum Healthy Homes standards is 1st July 2025. In addition to this The Residential Tenancies Amendment Act 2020 (Amendment Act) came into law in 2020, restricting the frequency of rental increases, requiring a 'valid' reason for landlords to end a tenancy, and allowing tenants to make minor changes to their property. Where the legal responsibilities of

any party covered by these acts and amendments are breached an application for 'exemplary damages' can be made through the Tenancy Tribunal. (Tenancy Services, 2024). Enforcement of breaches to these codes is primarily dependent on tenants making complaints (Joynt, 2017).

In addition to these current legislative protections, and in part as a reaction to their flaws, multiple stakeholders are discussing the potential for a housing WOF. The Auckland council (2021) stated to achieve their aim of improving rental housing by 2050, a housing WOF may be required. They state, there are currently inadequate incentive structures to require landlords to meet minimum standards. This need is echoed by the Green Party, who in 2023 announced their own policy for a housing WOF (Swarbrick, 2023). Chloe Swarbrick, a Green Party Member of Parliament, discussed the need for this with One News, stating the government does not possess real world data regarding Healthy Homes compliance rates for rental properties (Desmarais, 2023). The Green Party further discusses power imbalances between tenants as a key issue in preventing non-compliant homes from complying with Healthy Homes regulations (Swarbrick, 2023). This is because the current system requires tenants to self-report issues, and many tenants do not wish to challenge their landlord out of fear of putting their housing situation at risk. Through ensuring standards are properly enforced, without the proactive involvement of the tenant, a rental WOF aims to remove the burden of enforcing the law from renters.

There is also external evidence which supports the use of WOF schemes to improve housing stock and housing related health outcomes. The Housing Health and Safety Rating Scheme (HHSRS) is an established system, which is already used in Wales and England (Bennett et al., 2016). In a A-NZ study on the impacts of instituting a housing WOF, which used this system, it was found that 94% of the 144 dwellings assessed failed (Bennett et al., 2016). While the houses in the study often failed over minor issues, this kind of evidence shows the importance of discussing all potential options.

### **Power dynamics and self-reporting**

The reliance on self-reporting in the Acts described above greatly undermines their usefulness. This is a significant aspect of A-NZ's housing issue, as power dynamics can prevent tenants from reporting issues with their housing (Chisholm et

al., 2020; Ministry of Housing and Urban Development, n.d.; Joynt, 2017; Reid, 2017; Nine to Noon, 2022). Tenants fear asking for maintenance will jeopardise the security of their home, or ability to secure future rentals, as they will be labelled as bad tenants (Joynt, 2017). Tenants worry about raising issues, based on the possibility of damaging their ability to rent other properties in future, or for fear of losing their current tenancy. This demonstrates that tenants do not feel safe to raise housing issues.

Where tenants feel disempowered and unable to advocate for their rights safely, it can reduce the pressure for PMs to behave in accordance with the Acts, leading to normalisation of illegal and unhealthy procedures within the PRM. This was exemplified in Byrnea and McArdleb (2020)'s qualitative study of rental issues in Ireland, which found landlords appeared to be getting away with whatever they could. Rental increases in Ireland have been capped at 4%, however recent research shows that average annual rental increases still exceed 4%. Byrnea and McArdleb (2020) argue that legislation is only as useful as the systems that allow issues to be known or contested. This demonstrates that the functionality of legislation is strongly associated with the ability for issues to be made known.

An example from A-NZ suggests the same principle holds true here. The Privacy Commission is currently investigating claims from tenant advocacy groups that landlords and PMs are asking for information they cannot legally request under the Privacy Act (Nine to Noon, 2022). The Deputy Privacy Commissioner, Liz MacPherson, stated that in the past too much information was gathered by landlords and PMs. She continued, based on power imbalances, tenants did not usually complain or advocate for their rights and that the Privacy Commission would now be taking proactive measures to address the issue of information being illegally sought by housing agents (Nine to Noon, 2022). This example reinforces the idea that protective legislation is only as useful as tenants' perceived ability to raise issues, and suggests proactive measures are therefore required.

It is noteworthy that in this example, it is not the tenants directly but a tenant advocacy group who have raised the issue. It may be that without that support, the illegal gathering of information by PMs and landlords would have continued, undiscussed. Joynt (2017) expands on these ideas stating that tenants rarely bring landlords to the Tenancy Tribunal, with many low-quality rentals going unreported.

## **The dimensions of power**

As discussed above, power dynamics and perceived power dynamics are a large part of what prevents tenants from addressing issues in their homes. Power dynamics in the housing space are complex and can present in multiple different forms. Literature, which focuses on power dynamics in the housing context, often builds on the model created by Steven Lukes (Chisholm et al., 2020; Brynea & McArdleb, 2020). Lukes discusses power as existing across three dimensions. Visible power, where there is an apparent conflict and one party wins, based on the ability to impose their will onto the other (Lukes, 2005). Hidden power, where there are winners and losers, but the conflict is not made overt, as the mechanisms of power keep it concealed. Invisible power, where conflicting interests exist, however are not experienced like this. Instead, the power dynamic shapes cognitions and keeps parties from being aggravated by the unfair situation (Chisholm et al., 2020).

Expressions of these dimensions of power can be seen in the academic literature on A-NZ's rental industry. Reporting issues with housing quality, or requesting repairs, is seen as a stressful experience for tenants, where repairs are often slow, or not carried out (Chisholm et al., 2020). This shows the common experience of visible power, where tenants have negative experiences seeking things they are legally entitled to. Joynt (2017) found, based on the poor quality of rental stock and the perceived lack of ability tenants have to effect change, acceptance of poor housing standards had become the norm. Much of this acceptance appeared to be conscious on the part of tenants, making it largely an expression of hidden power. However, it was also noted that compared to independent assessments of housing quality, tenants regularly overestimated their rental's quality (Joynt, 2017). This is an expression of invisible power. Tenants are sufficiently used to low quality housing, that they no longer see the housing quality as being as poor as it is. Through these examples it is evident that the self-reporting model is allowing for negative expressions of power dynamics which reduce access to healthy housing. Further, the current legislative protections are improperly designed to redress these power imbalances and support tenants to self-advocate. These unhealthy dynamics between renters, those in power, and ineffective

legislation represent vital context regarding the relationship between tenants and other stakeholders in the rental sector.

#### **4. Property management**

##### **The role of property managers**

Residential PMs are professionals who take care of the daily management of residential properties (Crockers, 2021; RayWhite 2024), and provide general professional advice to landlords (Bate, 2020). PMs should: handle maintenance, deal with disputes, find suitable tenants, and resolve any issues at the end of the tenancy (Crockers, 2021; RayWhite 2024; Tenancy Services, 2022). This leaves tenants commonly seeking to report issues to the PM, instead of the landlord. This can serve to insulate landlords from issues or negative feelings expressed by the tenant, when there are disputes. It also means that where a tenant may have issues with a landlord, said landlord has access to professional knowledge through advice from the PM. PMs may also inform landlords about changing market conditions and suggest rent reviews (Tenancy Services, 2022). Landlords can either establish a system where PMs require approval to raise rents, or they can give the PM sole discretion. PMs typically charge between 7.5%-8.5% of received rent, tying their income directly to rents. They thus have an incentive to raise rents and often have the power to do so. This is an example of one of the many ways in which the desires of PMs and the desires of renters can conflict.

PMs perform these duties for large numbers of properties across A-NZ, giving them a large impact. Almost one third of households in A-NZ rent (Ministry of Housing and Urban Development, 2024). Around 50% of those are controlled by a PM (Ministry of Housing and Urban Development, 2024), and demand for PMs is still growing (Careers New Zealand, 2023). Based on their power and increasing prevalence, any common beliefs or systems within the industry will have a meaningful impact on A-NZ's rental culture and, for many, their health. This means that any negative impacts on the PRM by PMs can also be viewed as their indirect impact on tenants' health. Despite their prevalence and impact, PMs have been largely ignored in academic literature (Reid, 2017).

These potential health impacts make property management particularly important to study now as the property management industry currently lacks a specific guiding piece of legislation (Ministry of Housing and Urban Development, 2024). This does not mean that PMs are currently wholly unregulated, as requirements from other pieces of legislation often apply to PMs, for example, the RTA (1986) requirements apply to all residential tenancies. It does however mean that presently there are no licensing or training requirements for PMs (Ministry of Housing and Urban Development, 2024). While a bill seeking to regulate the property management industry was introduced to Parliament in August of 2023, it will take two plus years to come into effect, if it is enacted (Ministry of Housing and Urban Development, 2024).

### **Property managers as agents of the landlord**

PMs occupy a unique position, as they are notionally there to support the interests of both the tenant and the landlord. The landlord and the tenant have a need that they are each hoping to meet through the property in question. The PM is there, as the professional, to facilitate that transaction. In a system where tenants feel disempowered, having an impartial professional, who could give information and mediate issues, could significantly improve tenants' perceived power to self-advocate. Unfortunately, multiple pieces of literature, examples of which are detailed below, discuss ways in which PMs instead often represent another function of the system which serves to disempower tenants. Renters have been found to experience significant power imbalances when engaging with PMs (Consumer NZ, 2023). In a study in which they interviewed A-NZ PMs, Reid (2017) found that the PMs only referred to landlords as clients, while tenants were not mentioned in this way. Finally, as discussed previously, PM's income is generated through their ability to extract money from the tenant, on behalf of the landlord, which may be another aspect of the role which biases them towards the landlord. These factors suggest that PMs prioritise the needs of the landlord and this is also how the relationship is experienced by tenants.

Landlords having additional support from a professional, such as a PM, can represent a significant barrier for tenants considering taking their landlord to the Tribunal. Tenants fear the Tribunal due to lacking experience, the costs involved, and the fear of reprisal (Joynt, 2017). Therefore, a tenant knowing that the landlord

has the funds to employ a professional, with experience at the Tribunal, who understands the legal means to evict or otherwise prosecute tenants, is likely to be a factor in tenants' desire to avoid the Tribunal.

### **Property managers as protectors of tenants**

PMs are in a position of power, meaning they can have some agency regarding their impact on the industry. While they can shield landlords from the needs of tenants, such as requests for repairs, they can also act as a professional barrier in a more positive way. Where a landlord wants to engage in conduct with their tenants which is unethical or illegal, the PM may work to educate the landlord, before unfair requests are imposed on the tenant (Joynt, 2017). In an interview, one PM discussed feeling responsible for protecting tenants against discriminatory selection practices (Joynt, 2017). While many PMs may disagree with discrimination, actively addressing it with a landlord can still represent a financial or business risk to the PM, as they can be let go. This suggests that a sense of 'responsibility' is meaningful in how one addresses issues which may impact tenants.

Another example of this was shown by Reid (2017). PMs in their study highlighted the importance of supporting renters who are new to Auckland regarding their requirements, responsibilities, and rights. This suggests that with their professional knowledge base, PMs are able to support vulnerable tenants with important housing and legal information. As they are not legally required to do this however, the extent to which one does is again dependent on their individual ethics.

### **Systemic issues within the property management industry**

While the impact that PM have on tenants can be viewed as a result of their personal ethics, the impact of the industry is most clearly seen when considering the systemic issues of the industry itself. Such systemic issues can be seen through examples below of problematizing of vulnerable groups, discrimination, and a lack of regulation. Despite their previously discussed legal obligation not to discriminate, Reid (2017) found that PMs discussed certain groups as 'problematic' generally. This included non-European immigrants and single mothers. If PMs have power over the provision of housing, and they view certain non-Pākehā and other vulnerable groups as 'problematic', it creates potential for systematic housing discrimination. Terms such as 'problematic' can also serve to create the narrative that it is not

discrimination keeping people from accessing housing, but the problems which they themselves have caused.

Issues such as this may be exacerbated by the lack of legislation and punitive agencies specifically designed to regulate standards in the property management industry. Stakeholders in the PRM commonly discuss issues with property management being underregulated as an industry, resulting in a lack of standardised quality and practices. The current lack of legislation requiring PMs to be licensed is important as it opens the door for bad actors. In their study, Reid (2017) found that many PMs supported the need for some level of regulation in the industry. Participants described an increase in independent PMs, who operated in unprofessional environments. These PMs were framed as 'sole operators', with businesses being run out of people's homes and even cars. While it is difficult to pinpoint the extent to which PMs positively or negatively impact the lives of renters, it is clear that there is easy potential for PMs to discriminate, or not meet the needs of tenants. Discrimination or a lack of support for tenants may also come from a place of ignorance, as PMs have no legal requirement to know or meet practice standards (Ministry of Housing and Urban Development, 2024). The ability for PMs to act in this way, due to the lack of legislation, is another example of their power over tenants in the PRM.

### **Proposed property manager legislation**

The proposed property management bill purports to comprehensively regulate residential PMCs and PMs, in a manner which makes homeowners and tenants feel sure that their PMs are accountable and qualified (Ministry of Housing and Urban Development, 2024). The bill expects to achieve this through four core aspects. These include:

- Mandatory registration and licensing for property management organisations and PMs.
- Entry and training requirements.
- Introducing practice standards for the industry.
- And creating a disciplinary and complaints procedure.

A key benefit to introducing this bill would be introducing an entry requirement into property management. Reid (2017) found many PMs believe rogue operators are a significant issue in the industry and licensing needs to be introduced to reduce their

impact. At present, anyone can become a PM, with very little oversight. They only require access to properties which they can rent to others. It is unclear how valuable the education material for potential PMs would be, however creating any barrier to the profession may reduce the number of bad actors in the space.

Despite this positive aspect of the proposed legislation, it is unclear how useful it will be beyond the licensing requirement. Practice standards for the industry will only be as useful as the complaints process is robust. Outside of a strong disciplinary process, the only thing holding PMs to established standards would be their own, or their PMCs, sense of ethics. It is likely, however, that the complaints process will have the same issues with self-reporting and power dynamics that current systems experience. The system is referred to in the proposed legislation as 'complaints and discipline' and the complaints system will be overseen by The Real Estate Authority (REA), an existing figure in real estate (Ministry of Housing and Urban Development, 2024). This suggests that discipline will hinge on tenants actively making complaints and that these issues will be dealt with by a group representing the current system. It appears the same people will assess complaints in the same way, creating the same issues in a separate industry.

The licensing requirements would also only extend to PMs and would not include stakeholders such as private landlords (Ministry of Housing and Urban Development, 2024). This will allow for over half of rental properties to continue being managed by someone who has no legal requirement to know the business or the rights of those involved. If we are to take the proposed legislation, and the comments from other PMs, as an indication that people are aware of the need for more legislation to protect renters, then it seems short sighted to only apply these needed changes to half of properties.

### **Reactions to the proposal**

There is debate from other stakeholders regarding what the proposed legislation should include. Renters United is a collective of renters, who engage in the discourse regarding renting in A-NZ and advocate for the rights of tenants (Renters United, 2024). In the key points they published in response to the bill, they called for the regulation of all people who manage residential properties and not just PMs, those who commit serious offences as landlords to be compelled to use a PM, for a public registry to be created regarding said landlords, and for renter

representation on the complaints committee (Renters United, 2024). This shows a significant difference in focus between this group representing the voices of tenants and those creating the bill. While the proposed bill almost entirely omits private landlords, Renters United appears focused on private landlords and the need to hold them to the same professional standards as PMs. Their final request also appears to be an attempt to reduce the issues caused by power dynamics and tenants' inexperience regarding complaints procedures.

In their 2050 plan, Auckland council (2021) stated that a key aim of theirs is to improve housing standards for existing homes, especially rental housing. They explained that significant improvements to the quality of existing housing is fundamental to the health of Auckland. The council continued that improving health related to rental stock also means addressing tenants' powerlessness in making landlords complete maintenance. This suggests that the proposed legislation, through continued reliance on tenants self-reporting, will also fail to meet the stated goals of the Auckland council.

PMs, Renters United, and the Auckland City Council, represent three of the major housing stakeholder and stakeholder representative groups, yet they all discuss different things as needed to improve the PRM. This means the pending legislation will arguably ignore important aspects required to improve the health and wellbeing of renters. Therefore, there is a clear need for research from the academic community to inform continued discussion on these issues. Specifically, further research into PMs is required as they represent an important, under researched stakeholder group with a large impact on rental housing.

## **Chapter 2: Methodology and Method**

### **2.1 Introduction**

This chapter outlines the methodology and methods employed to collect data and generate the findings presented in this study. The methodology includes a rationale for the use of interpretive phenomenological analysis (IPA), as well as considerations regarding trustworthiness, ethics and reflexivity. This section serves to establish the theoretical underpinnings of the study and its design, as well as my considerations in avoiding biased, invalid, or unethical results. Building on this, the methods section outlines the techniques employed for data analysis, interviews, sampling, participant gathering, as well as rationales for these choices and for the setting. This serves to outline the practical means by which the study was created in order for readers to be able to assess the validity of the study.

### **2.2 Methodology**

#### **Method of data collection**

This study employed IPA as its data collection and analysis method. IPA was chosen as the study design for multiple reasons.

As stated previously, there is little existing research concerned with PMs (Reid, 2017). Based on the complexity of the analysis, IPA is ideal in these situations, where little is known or research on the topic is relatively new (Smith & Shinebourne, 2012). Additionally, while surrounding literature gives one an idea of what it is important to focus on, semi-structured interviews enable the researcher to discover and freely explore ideas they did not intentionally look for (Tracy, 2013). This further facilitates participant expression, as they are able to freely discuss ideas which the researcher did not introduce.

IPA also worked well with my professional knowledge and skill base. I have worked for over five years as a client-centred counsellor. This is a style of counselling which uses tools that are applicable in IPA research. Both practices involve long discussions with participants, where the participant is the main driver of

the conversation. Additionally, the person conducting the interview is required to deeply analyse what is said to better understand the experience of the participant. Using a method which allowed for the use of skills learned as a counsellor, also allowed for greater exploration into topics related to psychology, such as the mental health impacts of working in property management.

Finally, a key ambition of this study was to present the voices of PMs. Their views and experiences have thus far been underrepresented and there is value in learning about an issue by directly exploring the experiences of the people involved. Using client-centred counselling experience and IPA as drivers to do this was a perfect fit. The interviews allowed for deep, and at times personal, discussions and the reporting style used quotes from interviews, allowing for the direct expressions of participants to be centrally included.

### **Trustworthiness**

Rigour in qualitative research is often achieved through using pre-established frameworks (Shenton, 2004). Within my presented research, I followed Shenton (2004) who identifies a collection of frameworks that have been modelled after work by Guba. These frameworks require researchers to reasonably meet four criteria, these include credibility, transferability, dependability, and confirmability. These concepts are outlined below, with each definition followed by a passage regarding how each was addressed in this study.

**Credibility** - A demonstration of the means by which the study presents a truthful picture of the researched phenomenon. In my study, credibility was achieved through focusing on health related issues in the rental system within both the literature review and the interviews. This ensured that previous research on the desired topic was well understood and presented, with sources, in a manner that would allow readers to verify its credibility. An effort was also made to ensure findings remained oriented towards the aim of improving health. This should additionally demonstrate to the readers that the subject being investigated is in keeping with the stated aims of the study. Additionally, as discussed in the reflexivity section below, my experience as a client-centred counsellor positioned me to gain accurate representations of participants' sense making through interviews.

**Transferability** - Detail regarding the context of the fieldwork, which allows the reader to determine if the environment is similar enough to their experiences of

similar environments to reasonably apply the findings to other settings. In my study, transferability is demonstrated throughout the method section, which details who participated in the study, the data collection methods, and the time period over which data was collected. The methods used are also largely in keeping with common IPA practices. These factors should give readers the required information to assess how transferable this data is to other situations.

**Dependability** - This criteria is more difficult to meet through qualitative research, however efforts should be made for the study to be repeatable by other researchers. In my study, dependability is achieved through similar means as transferability. The study follows closely to the design standards of IPA, which is a common qualitative method. The method section outlines the specific means through which this study was conducted, using said IPA style. The dimension in which this study may not be repeatable for others is related to my professional experience. This study was able to explore more deeply the experience of being a PM and the health impacts of this. Much of this was achieved through using my professional skills as a counsellor and therefore may not be widely replicable.

**Confirmability** - A demonstration of steps taken to prevent findings coming from the researcher's dispositions, and instead to emerge from the data. In my study, multiple steps were taken to ensure the findings are based around the data. The framework around which the findings section is built relies on direct quotes from participants. Further, the below section on reflexivity outlines the processes that I, as the researcher, have undertaken to reduce the impact of my potential biases. Finally, there is discussion in the method section below regarding the co-creation of meaning, required in IPA studies. Making these aspects of the study clear to the reader allows them to discern the extent to which I have reasonably worked to avoid biasing my findings.

Rigorous efforts were made during the production of this study to ensure these trustworthiness criteria were met. Expressions of these efforts are further demonstrated throughout the rest of this study. Specifically, the below reflexivity section outlines much of how author biases were avoided in favour of accurately presenting participant discussions.

## **Ethics**

In consultation with my supervisors, this study was approved through the low risk ethical submission process at Massey University and not reviewed by the university's Human Ethics Committee. As such, all documentation sent out to prospective tenants included the University's required explanation of this ethical approval process:

*"This project has been evaluated by peer review and judged to be low risk. Consequently, it has not been reviewed by one of the University's Human Ethics Committees. The researcher(s) named in this document are responsible for the ethical conduct of this research."*

Ongoing cultural consultation and discussions were engaged in with my supervisor, Dr Pita King, who is one of the University's listed staff members who conduct cultural consultations. It was not expected how central or powerful some of the racial/ethnic content would be. As a Pākehā person, I have felt the need for ethical and cultural guidance on producing a work with such significant ethnic commentary.

One major ethical consideration was the potential to paint the participants as villains. Based on my training, education, and personal beliefs it would be possible for my personal perspective and biases to frame participants who discussed behaviours which negatively impacted the health of tenants as villains. To avoid this, I have intentionally focused on describing individual PMs as existing within wider PRM and property management systems. This allowed for frank discussions of issues, without vilifying the individuals who had given their time to this study and its stated aim of improving health outcomes. This also allowed a deeper appreciation of the tensions, challenges, and stressors these individuals have to manage in their daily work lives. This cast a light on how the current rental system negatively impacts not only tenants but also PMs.

## **Reflexivity**

Reflexivity is the ongoing practice of self-awareness on the part of the researcher (Berger, 2015). Regular consideration of one's positionality and personal relationship to the study is important as a means of acknowledging and reducing these potential impacts. Transparency regarding potential biases and the practices undertaken by the researcher to minimise their impact allows readers to more easily discern if findings are credible and transferable (Shenton, 2004). In this research, my

positionality appears in my position as a renter and my related socio-economic status. Below I have outlined my position as a renter, how this represents a potential bias, and the practical measures undertaken to ensure the validity of my results.

I have been renting in Auckland for around 10 years. As such, it has been an important part of the research process for me to be aware of and actively reflective of my potential biases. My position as a renter is significant as much of the literature review centres on industry issues which negatively impact, or even profit from damaging, the health of renters. I myself have had many mixed experiences within the rental system, some wonderful, some terrible. The most meaningful aspect of my position as a renter, as I see it, is my perceived divide between those who rent and those who own their own homes. The notion of being able to buy a home has become so distant that in many ways I cannot imagine it. This means that in this study I am in some ways commenting on a group of people I cannot fully empathise with, or that I myself consider as other. Despite this, as a professional counsellor, I am trained and experienced in finding empathy and understanding, through discussion, with all people. Through counselling I also have extensive experience in debriefing and reflexive practice, designed to actively create awareness of and reductions in my own biases.

## **Analysis**

Data analysis using IPA is a complex, iterative process (Smith & Shinebourne, 2012). In IPA there is a focus on the subjects' lived experience, while also recognizing that the researcher cannot articulate this objectively. Therefore, data analysis also relies on added engagement and interpretation from the researcher. IPA is a dynamic process, often described as dual interpretation, as it requires the participants to first make meaning from their own experience, and then for the researcher to make sense of that meaning (Pietkiewicz & Smith, 2014). In this way, IPA documents both the process of the participant making sense of their experienced phenomena and the researcher's own sense making, with the researcher moving back and forth between these two perspectives (Pietkiewicz & Smith, 2014). As this is the first study I have written in the IPA format, I have chosen to stick closely to the analysis method outlined in the academic sources. This framework, used for analysing data in an IPA style, is outlined below.

**Phase 1:** The first phase involves multiple readings of the transcripts, and some listening to the audio recordings, with the ambition of discovering new insights during each reading (Pietkiewicz & Smith, 2014). During this phase, researchers may want to note reflections and observations about the interview process or anything else of significance (Smith & Shinebourne, 2012). This can include language use, content, and context, with a focus on emotional responses and distinctive phrases (Smith & Shinebourne, 2012).

**Phase 2:** The next phase involves transforming notes into emergent themes (Smith & Shinebourne, 2012; Pietkiewicz & Smith, 2014). While there remains a focus on the detail of the participant accounts, here the researcher may begin engaging in higher levels of abstraction and psychological conception (Smith & Shinebourne, 2012).

**Phase 3:** The next phase involves looking for connections between themes, then grouping and labelling them (Smith & Shinebourne, 2012; Pietkiewicz & Smith, 2014). It is important at this stage to continue referring back to the original transcripts, continuing the iterative nature of the analysis, to ensure these clusters make sense in the context of the original transcript (Smith & Shinebourne, 2012). Themes which are weaker or do not fit with the emerging structure may be dropped at this stage (Pietkiewicz & Smith, 2014). After this, major themes and subthemes should be presented in a table, including illustrative short quotes from the participant's interview (Smith & Shinebourne, 2012). This process should then be repeated for each other piece of data (i.e., each transcript) (Smith & Shinebourne, 2012).

**Phase 4:** This phase involves 'writing up', the process of creating a narrative account of the study (Smith & Shinebourne, 2012). This involves writing about each theme from the table in turn, illustrating these with extracts from the data and author analysis (Smith & Shinebourne, 2012). Using participant quotes in this way allows the reader to assess the relevance of the author's interpretations, while also directly maintaining the voice of the participants' (Smith & Shinebourne, 2012). This account is then followed by a discussion section, in which the author considers the identified themes in the context of the existing literature (Smith & Shinebourne, 2012).

## 2.3 Method

### Interviews

Interviews lasted between 60-90 minutes. All interviews were recorded using the interviewer's smartphone. Interview files were then downloaded onto the author's personal computer and transferred into a password protected folder. The original recording files were then deleted from the phone. This was done to ensure the safety of the data and the privacy of participants. All interviews were then transcribed, using the computer program Otter.ai. I then checked and edited all transcripts manually.

Participants were informed of their rights before interviews. This was done through giving them a consent form to read and sign, as well as a verbal reminder of the key points from the information sheet they were previously sent. These rights included not being required to answer questions, the right to change topics, and the right to end the interview at any time. This acts to protect the rights of the participants whilst also helping to make them feel more comfortable and in control, facilitating rapport and improving the quality of interviews.

The interview style used was semi-structured, in keeping with the IPA style. Initial themes and issues I wanted to discuss were derived from the literature and my own personal renting experience. This formed the basis of a loose structure for the first (pilot) interview, with the rest of the structure coming from the interaction with the participant during the interview itself. Following this initial single interview, a meeting was held between myself and my supervisors to gain a better sense of what was required in future interviews. In this, and subsequent meetings on this topic, we discussed what worked well, if there were any issues, what the initial data was showing, and what ideas warranted further exploration. This process of meeting with supervisors and analysing preceding interviews and initial data impressions was repeated continuously during the data collection phase.

Following the first interview, transcription and data analysis began while interviews were still ongoing. This meant that the structure of the later interviews was progressively shaped by analysis of previous interviews, and the initial themes which began taking shape. Simultaneously, the ongoing analysis of earlier transcripts was shaped by data gathered in successive interviews. This can be seen as an aspect of the iterative data analysis style used in IPA studies (Smith & Shinebourne, 2012).

## **Sampling**

Accessing my chosen participant group proved difficult, with multiple methods of recruitment partially failing or failing completely before a reliable means of engaging participants was discovered.

Initial attempts made to engage participants were primarily done through contacting real estate companies, who had a PM division. This was done through both email and attending the offices in person. Two participants were gained through visiting real estate offices, however this approach appeared to have significant limitations. Both of these participants came from the same office and of the approximately 40 offices visited, theirs was the only one to reply. This may be related to management acting as a barrier, as the decision on how to action my requests likely went through them when information sheets were sent to the company email or given to reception staff. The hypothesis of management representing a barrier to participants was supported through one such email interaction I had with a participant. I initially sent an invitation for them to participate at their company email address, however they returned my email through their private account, stating they did not want their employer to know about their participation.

As a way to reach PMs on a larger scale, attempts were made to use PM groups. This was done through Facebook groups, such as 'PMs only - NZ', and voluntary property management membership organisations, such as The Real Estate Institute of New Zealand (REINZ). REINZ were also chosen based on their placement as the complaints management agency in the proposed PM legislation (Ministry of Housing and Urban Development, 2024). However, inviting the groups'

members to participate in the study was considered personal advertising and therefore prohibited in both spaces.

Snowball sampling was something I had hoped would be viable, however no participants were able to suggest another PM who might be interested in participating. One participant directly discussed that she thought others in the industry were unlikely to have the time to participate.

Following these difficulties, I have changed tactics and begun taking PMs' email addresses from digital sources, such as TradeMe and Google. Emailing the PMs directly allowed for far more invitations to be sent and appeared to remove the barrier of management. This method worked well and quickly returned multiple responses. This also allowed for slightly more targeted participant selection, in terms of the different suburbs they worked and the ethnic groups they identified as, as the websites where PM emails were obtained also showed pictures of PMs, the location of their offices, and at times basic demographic information.

## **Participants**

All participants were required to be currently working as PMs in Auckland, and to have worked as a PM for at least six months. This requirement was originally set at one year, however early interviews suggested it may be important to capture the experiences of people newer to the industry. Issues like poor training/support, high turnover, and expendability made the experience of newer staff uniquely relevant to the wider issues in property management.

Eight participants responded to requests for participation, and of these six gave interviews. The prospective participants who did not participate were excluded due to practical issues with arranging and conducting an interview. Participants included four males and two females. Additional efforts were also made to include participants who represented important property management groups, based on initial research and interview findings, including:

- A Chinese PM.

- A PM who has worked with apartments in the central city (although this data was ultimately excluded from the study).
- A PM who was new to the industry (less than one year).
- A PM who also runs a property management business.

There are two sample related limitations to this study. Attempts were made to engage a PM who identified as Māori or Pacific ethnicity, however this was unsuccessful. These are important groups which are not represented, as participants, in the data. General demographic information was also not collected from participants, as this was not considered essential for this study, however in writing the study it became apparent that personal ethnicity data from participants would have provided useful additional context. Non-Pākehā populations were often presented as 'other' by participants who appeared, to the researcher, to be Pākehā, however this was harder to comment on without clear demographic data. Some PMs in the study did volunteer their ethnicity, however as this was not collected for all participants its usefulness was more limited.

## **Setting**

Auckland was chosen as the study location as it represented a major rental housing market in A-NZ. It also has unique features, such as its distinct socio-economic and ethnic differences between suburbs, which enabled targeted data gathering as well as discussions of specific areas and demographics. Many of Auckland's suburbs are commonly discussed as distinct areas, containing statistical differences in population and socio-economic demographics. This allowed for targeted engagement of PMs in different areas and facilitated focussed exploration of particular issues, populations, and perceptions. It must be noted that while Auckland represents a significant percentage of A-NZ's overall population, the views of PMs here may not be fully representative of PM views across A-NZ.

Another reason this setting was chosen is that I live in Auckland and this facilitated doing interviews in person, improving their quality. I have also rented in Auckland for over 10 years, giving me, as the researcher, insider insights into the tenant experiences of renting and engaging with PMs in the Auckland context.

## Chapter 3: Findings

### 3.1 Introduction

My analysis of the interview transcripts generated three key themes, with each containing multiple sub-themes. The main themes are: 1. Systemic Issues, 2. The PM experience, and 3. Legislation. Systemic Issues addresses repeated practices which negatively impact tenants' access to healthy housing. The PM experience addresses issues within the profession of property management and how these can negatively impact PMs. Further, it draws parallels between the experiences of disempowered tenants and disempowered PMs. Legislation breaks down participants' stated beliefs regarding key pieces of legislation which impact property management. Each theme will be discussed in turn, with introduction sections to each theme also providing a table outlining the sub-themes and the order in which they will be discussed.

### 3.2 Systemic issues

#### Introduction

Theme one covers systemic issues within the property management and rental systems. The term 'systemic issues' is used here to refer to any repeated practices or beliefs, from those in positions of power within the PRM, which negatively impact access to healthy housing for vulnerable tenant populations. Systemic issues are illustrated through sub-themes, which are each discussed in the order in which they appear in the table below:

**Table 1**

*Main theme and ordered sub-themes for 'Systemic Issues'*

Main theme	Systemic issues
Sub-themes	Personal responsibility and mould
	Desperation for housing
	Racial discrimination

	Race and area
	Power over tenants

### **Personal responsibility and mould**

Personal responsibility narratives, which frame tenant issues as related to their own failings, were commonly discussed. These narratives were discussed in relation to many other ideas, and will continue to be present in the analysis of other themes and sub-themes. Here this issue is illustrated through a discussion of participants' perceived connections between mould and tenants being depicted as not meeting their personal responsibilities. Individual responsibility is a core tenant of neoliberal beliefs (Springer, 2016). While participants never directly discuss neoliberalism, this sub-theme begins to demonstrate how commonly neoliberal concepts were present in the interviews with PMs and the practices they outlined.

Participant 1 explained the perceived link between mould and tenants not meeting personal responsibilities:

If there is mould starting to appear, it doesn't mean there's a leak. It's probably because you haven't done your job right... You still have to do things you can't just sit there and expect everything to be magically done for you.

In the above extract, tenants are positioned as passive, incompetent and possibly having a sense of entitlement, this being indicated as the cause of mould rather than structural causes (a leak) which is excluded as a causative factor.

Participant 2 discussed the idea of tenants who lived in mould prone housing as having the options of either doing more cleaning or leaving:

...some homes seem to be more mould prone. And in that case, the tenant's got to work harder. Because if it can't be solved, cost effectively, and reasonably, then it's on them, and they've got the option either to keep it cleaner, or move out.

This statement acknowledges some mould issues are related to housing factors, however, by stating that it is only reasonable to fix a mould issue if it is cost effective, the PM is conveying that it is acceptable for tenants to live in mouldy housing. It suggests, where the price to fix mould issues are too high, unhealthy properties should not be required to undergo repairs or be removed from the market. Rather, the continued income of the landlord should be prioritised over the health of future tenants. This statement also discounts the difficulty tenants may face in either living in mould prone housing or moving.

Participant 2 further explained mould issues as a function of tenants disliking work:

But I honestly just think people are a bit slack. They don't like doing housework. And they and they don't feel, for whatever reason, in a position that they can or want to pay someone else to do. Probably if they got their own home, they'd be just as bad.

The above extract places a personal or moral judgement onto tenants, suggesting they have the ability to combat mould, but are framed as too 'lazy' and 'bad' to do so. The reference to the generic 'people' also sidesteps specific indications of who these people are. Contextual aspects are also avoided by referring to general categories or vague comments like 'for whatever reason'.

Legally it is the tenant's responsibility to keep the home free of mould once it is let (Tenancy Services, 2024). However, arguing that issues in rentals are caused by renters' lack of personal responsibility allows for the issue to be discussed indicative of tenant attributes, and not an issue for the PRM or property management sectors. This ignores the wider socio-cultural circumstances which can lead tenants to struggle to maintain healthy housing, such as discriminatory practices, historical disenfranchisement, and the state of A-NZ's modern rental system. This also serves to remove potential blame from PMs, allowing for PMs to continue working as normal, without having to consider the health consequences of their industry practices more deeply. This framing minimises the impacts of mould on tenants, as it frames it as something they have the power to resolve, but are choosing not to. Here, the concept of personal responsibility externalises responsibility and, in the

process, the costs involved in providing appropriate healthy housing, placing these burdens instead onto tenants.

### **Discrimination and desperation**

Through this sub-theme tenets of neoliberalism are again demonstrated, including reducing the role of the state in the regulation of housing and the prioritisation of individual responsibility (Springer, 2016). Desperation for housing and discriminatory practices were common topics raised by participants, with single mothers and those who use state housing discussed as groups who are unable to obtain housing in the PRM. Given a general assumption that the inability to find housing is indicative of tenant failure, this facilitates the continuation of discriminatory housing practices. What becomes apparent, and is illustrated below, is the conflicting claims by the same participants regarding such groups. This may be viewed as an example of cognitive dissonance, a concept used to denote the drive people have to resolve their own internal inconsistencies (Cooper, 2007).

Housing desperation, resulting from current conditions in the rental system, was discussed by participant 1:

As I say to landlords, any property can be rented out as long as it's at the right price. Because there will be people who, even though the place is a tip, if it's priced at the right price, that's the only price that, and those people want it, that means that's the only place that they could get anyway. They have been priced out of the market for whatever reason.

This quote demonstrates the power to rent out unhealthy homes which PMs possess in the current rental landscape. This underlies the fact that the PRM has people desperate for housing and it is this desperation which can force tenants into unhealthy housing, reducing the issue to one of price and market dynamics. Here, tenant exclusion from the market is again reduced to a generic statement: 'for whatever reason'. This participant argues that there are no minimum standards in the provision of housing, that any property, regardless of its state or potential health risks, is fair game. For the PM it is simply a matter of pricing things correctly.

Despite discussing housing desperation as a function of people having been priced out of the market, Participant 1 also discussed the shift towards lifelong renting as a personal choice:

If this is something that they now see that look, I'll be a renter for the rest of my life, I would rather utilise my income to invest in a share portfolio or something else and have the fluidity to move wherever I want at the drop of a hat, more or less, as opposed to being weighed down with the mortgage. But it's amazing how people's lives change and how we end up more often than not being like our parents, just going, "Actually having that house ownership is quite a nice thing. And being in bed by 8:30 is quite a nice thing, as well."

This framing of housing as a personal choice presents a version of life and financial investment which is incongruent with the life of many vulnerable tenants. As discussed previously, many vulnerable tenants are being forced to make trade offs between paying lower rent and living in less healthy housing (*The Auckland Plan*, 2021). Yet, the participant argues the issue is not related to renters having no money, but instead not appropriately managing their money. This can be seen as an example of the neoliberal practice of extending competitive market principles into every phase of life (Springer, 2016). The tenant is discussed as making poor personal investment choices, resulting in their inability to compete in the housing market. The places the blame onto the tenant, minimising the consideration required for those forced to rent, suggesting they are in fact not being forced.

Other participants discussed vulnerable tenants as being discriminated against for using support systems, such as state housing. Participant 4 explained:

And then you get people who, you know, it's heartbreaking, because someone comes to a viewing, and they present well, they ask all the right questions, they seem very interested in the house, and then their application comes in the next day, and the landlord is never gonna look at it, because they're from emergency housing or something like that.

This quote demonstrates that even where potential tenants are meeting their perceived personal responsibilities, in presenting themselves well in the eye of the

PM, they are still shut out of housing based on discrimination. It can be argued this represents a systematised form of indirect racial discrimination. Given that Kāinga Ora tenants are almost twice as likely to be Māori (20.5%), and almost three times as likely to be Pasifika (36.9%) than they are to be Pākehā (12.9%) (Statistics New Zealand, 2021), discrimination against Kāinga Ora tenants is in practice discrimination against non-Pākehā renters.

This participant further discussed the need for increased government support, to remove the current reliance on PMs deciding to take a chance on tenants:

[To reduce this issue we may need] more assistance from the government and getting out of these sorts of places. Some sort of step between, you know, Kāinga Ora, and the private residential market. Because it is, I think, a very big step for people to take. It does require people to, you know, landlords to take a chance on people. So, at the moment, it seems like they're sort of quite stuck.

In this quote the participant outlines a common idea amongst participants, that due to insufficient tenant protections, vulnerable tenants need to rely on kindness from individual PMs. The Government was also repeatedly discussed as responsible for, or required to improve conditions for renters across interviews.

Another form of discrimination, which was discussed by multiple participants, was discrimination against single mothers. Participant 5 stated:

For example, recently, I got a tenant, she sometimes can't pay on time. But anyway, she gave me notice to vacate. At the vacate I was shocked. The property was like whole crack of, like everything, like damage, and full of rubbish. And she says, "I'm too busy. You just get someone to do it". You know? You are poor, you are not rich, you're not wealthy, why you want to waste that money? So that's the way I feel, they are not vulnerable...people don't like some people, some clients, they don't like solo mums. I know, they shouldn't be like resist them. But they are not actually solo. They have few partners, a few kids, why they keep breeding, if you can't afford? So that's the way I feel like not always...the way they choose.

In this quote the participant counters ideas regarding single mothers being vulnerable and solo. Since they are neither then they are liars and victims of their own bad choices. Single mothers are reduced to a negative stereotype, rather than a diverse group of people. The participant also genders the issue, focusing the discussion only on mothers. This may serve to allow for ongoing discrimination, as it suggests the issue is the tenant's and they should change their behaviour to improve said issues. Through this we can see how the moral judgements of the landlords and managers are being imposed onto those who occupy more vulnerable positions within society. This shifting of focus towards the moral domain was also commonly used by participants as a means of avoiding considering issues as structural.

Participant 5 continued:

...they should budget maybe, my, I heard they want to get more money, like from the government. That's why they keep having kids. But raising a kid needs a lot of attention and money...one of my tenants, she had tough, tough kids. And they stay in the three bedroom house. They couldn't be able to find another big house, because the kids caused too many damage, and they draw on the wall. Damaged carpet.

This quote further externalises responsibility for issues single mothers face, positioning the tenants and the government as responsible. This is done through framing 'breeding' as motivated by profit, the inability to find future housing as related to poor parenting and financial skills, and generally vilifying the single mothers. PMs in this study never addressed the issue of the children's vulnerability or needs when discussing single mothers. Ignoring the vulnerability of the associated children, and framing issues faced by single mothers' as moral failings, facilitates the ongoing use of personal responsibility narratives and discriminatory rental practices.

Participant 5 also gave an example of offering a home to a single mother, where she was unable to find another suitable tenant. This tenant has subsequently presented no issues while renting the home:

We talked about discrimination of tenants. Yeah. We can't, but sometimes we have to in our heart...I remember there's a really lovely property in North

Shore. And in COVID time. No one applied, really hard, and owner got stressed. And there's a lovely girl, she's solo mum. She has been living there for 5 years, really good, clean and tidy and pay on time. No issues at all.

This quote demonstrates that single mothers are individuals, who may or may not treat a home well. This is a key issue with discrimination, it impacts many individuals unfairly, based on assigning them to a group who are commonly stereotyped.

Later in the discussion, participant 5 went on to engage with ideas about the need to avoid discrimination:

You can't judge people like, just from the culture or from you know, even if, before you have seen this person.

Across these two quotes Participant 5 talks both about how PMs have to discriminate at times, and how people cannot be judged without first knowing the individual person. The conflicting nature of these quotes suggests a level of cognitive dissonance on the part of the PM. Leon Fisher's theory of cognitive dissonance describes the tendency people have towards holding conflicting ideas, and the innate drive they have to resolve this conflict (Cooper, 2007). Personal responsibility narratives discussed in her above quotes, regarding single mothers, may serve to resolve this cognitive dissonance. By framing discrimination as necessary due to issues with single mothers as a tenant group, the participant is able to move past this cognitive dissonance and continue her discriminatory practices.

Participant 4 discussed a general desperation for housing in Auckland, allowing for any property to be rented. He highlighted single mothers as one such desperate group:

There will always be people desperate for housing. Because, I mean, there are people from emergency housing, who will just look for anything. People....I mean, you could have like a garage, you know, and you'll probably get some single mother with four kids, who is on WINZ, looking at it because she's just looking for anything. And obviously, that is sort of a self-perpetuating problem. Because, you know, if someone applies for a house, and they say, "Oh, I'm

from emergency housing”, basically puts their application to the bottom of the pile.

Multiple participants discussing discrimination against single mothers suggests it is common in the industry. The above quote also demonstrates the assumption within the industry, regarding the inevitable continuance desperation of vulnerable groups. Unlike in other quotes, however, this participant does not actively externalise responsibility for this, referring instead to housing desperation and housing discrimination as ‘self perpetuating’. This can be seen as the participant outlining the systemic nature of these issues, rather than engaging in personal responsibility narratives.

These quotes demonstrate the systematic way in which some of A-NZ’s most vulnerable groups are discriminated against in the housing system. They also demonstrate the ways in which tenant’s can be blamed for issues that are social in origin or even seen as less vulnerable because of them. Framing issues as a function of personal responsibility allows for those in power to continue uncritically discriminating against vulnerable populations, perpetuating a cycle of housing vulnerability. What emerged from the interviews was a set of discriminatory heuristics employed by PMs, which were framed as a necessary yet inevitable evil, in order to sort through potential tenants. The additional difficulties in obtaining healthy housing, which vulnerable groups face due to such discriminatory practices, undermine the personal responsibility narratives. This is because many potential renters are automatically excluded, based on belonging to certain categories (such as single mothers), rather than being judged as individuals. A lack of access to decent housing is, for many groups, a function of systemic discrimination.

### **Racial discrimination**

Systematic forms of housing discrimination, such as those discussed above, or racial discrimination, can be considered as forms of structural violence. As defined by Galtung (1969), structural violence is where one party is not directly harming another, rather, it is hard to trace issues or damage back to a concrete source or person. Violence is instead built into the system and is seen through unequal power and consequences leading to unequal chances in life (Galtung, 1969). In many of the examples in my systemic issues theme, it is made clear that there is a system, which

seldom enacts direct or easily observable violence, but does act to systematically reduce the health of certain vulnerable demographics by reducing their access to healthy housing. Racial discrimination in some form was discussed or alluded to by most participants. Direct statements regarding racial discrimination for rental properties largely focused on Indian people.

Discrimination from landlords not wanting Indian tenants was discussed by multiple participants. Participant 4 explained:

We even have landlords sometimes saying, like, "Oh, I don't want Indians in the house"...Because the landlord does have the right to refuse any application we present them. You know, if I know that this guy is going to refuse Indians, and I present Indians to him, I know that he's going to refuse them. And that's going to be a waste of time.

The participant explains here that he feels compelled to commit acts of proxy racism on behalf of the landlord, in order to function effectively within professional interactions. This also serves to maintain his relationship with his client, who has the power to cause issues for the PM, if they do not screen out Indian people as requested.

Participant 5 expanded on discrimination against Indian people, relating it to the smell of curry staying in the home:

I remember Chinese owner told me Indian tenants are worse than mess, because mess you can get claim from insurance. I understand what they are saying. But to be honest, if a really lovely house, if contaminated by curry, oh, my God, you can't remove...So we have to be careful, but doesn't mean all Indian like that. If they grew up from here, like a Kiwi, they okay. But if I, like you said, if owner say definitely 100% no Indian, then we can't do anything.

This quote stereotypes Indian peoples, suggesting they all share the same problematic practices, describing cultural cooking styles as 'contaminating' houses. The participant externalises responsibility for this issue, stating that they cannot go against the wishes of the landlord, if they ask the PM to engage in discriminatory practices. This quote also presents the idea that landlords and PMs are in a position

to decide who is and is not a 'Kiwi', and therefore, who belongs and who is 'other'. Othering refers to the practice of identifying one's group as the in-group and others as the out-group, attributing inferiority or alienness to the out-group (Brons, 2015). By its nature, this process of othering positions those described as 'non-Kiwi' as lessor.

Participant 5 continued this discussion of what metrics are used to determine which Indian people are considered acceptable or discriminated against:

Yeah. Some of them quite dirty. I know. Yeah. Depends what level, if it is engineer and got really good job here. Most of them from experience are good. So there will be some discrimination. But the first thing, yeah, I do need to educate owner, but sometimes I have no choice.

This quote discusses the high level of employment or other status Indian people may require to avoid discrimination. While the participant further acknowledges that some discrimination will happen, she does touch on her potential for educating property owners as a means of protecting tenants from discrimination.

Despite this, the notion of Indian people avoiding discrimination through any means is then contradicted by the next extract from Participant 5's interview:

Interviewer: So someone from here, who's grown up here, say who's Indian, might have a better chance than someone from overseas? Or it's not that big of a thing?

Participant 5: Not that, because Kiwi owners just told me, "I don't want Indian". I think it's all about curry.

These quotes suggest that while there are some circumstances under which Indian people could be considered viable tenants, such as their being discussed as more 'Kiwi', Indian people from A-NZ are still described as unwanted. These quotes also demonstrate that both 'Kiwi' and Chinese property owners are engaging in racial discrimination against Indian people.

Direct racial discrimination was described as uncommon, however Participant 5 discussed implementing her own biases where owners did not:

Interviewer: Are landlords direct with you about discriminating against certain groups not very often, or...?

Participant 5: Not very often to me. When I first started quite a few, they say, "No, no, no, India"....Yeah, even if owner doesn't say no Indian to me, I wouldn't. Yeah, because the curry will, you know, stay there forever. So the next tenant, I feel bad to the next tenant.

This quote demonstrates the ways in which PMs and landlords can create multiple tiers of racial discrimination which Indian people must navigate to find healthy housing. This is framed as a positive thing, as it is for the protection of future tenants. This trope of landlords and PMs as protectors of tenants was common throughout the interviews. This framing may allow for the continued use of racial discrimination in the industry, without it feeling morally wrong to those engaging in it. In reality, this appears to primarily serve to protect investments (properties) and minimise cleaning costs.

Discrimination was further described as a factor in where Indian populations were allowed, by those in power, to live. Participant 5 explained:

Yeah, if it is really old house, then that's not a big issue. And if that's in Sandringham, next one will be Indian. That's fine. Depends. Yeah, it's brand new townhouse. No, no way.

Through these practices landlords and PMs are contributing to creating the housing inequality, restricting Indian people to older homes and particular suburbs.

These ideas were not universal within the participant group for this study. Participant 6 discussed all ethnicities as having their good and bad tenants. However, Asian ethnic groups were identified as more commonly tending towards extremes:

If you asked me, "Is there a particular ethnic group that's bad?", I'd have to say no. They've all got their outstanding ones and they've all got really shocking ones.

This quote demonstrates that discriminatory ideas are not universal within the industry.

The level of discrimination against Indian populations described in these quotes is likely to significantly impact their ability to access healthy housing. It may also serve to restrict their access to more desirable areas in Auckland. This is a significant display of the power to allocate housing, being used to serve the needs of landlords and PMs, at the expense of the human rights of Indian people. It also demonstrates the many ways in which the property management community can shape how some communities are able to live. This could be considered a significant example of Hidden or Invisible Power, as described by Lukes (2005), as there is often no direct conflict involved in discriminating against housing applicants.

### **Ethnicity and area**

Neoliberalism purports that the population's wellbeing is best improved through the expression of individual freedoms, functioning within a system that is characterised by free markets and strong private property rights (Harvey, 2020). Beyond what is needed for the free market to function, the state should not interfere with the free market (Harvey, 2020). One flaw in this idea is made explicit in Zygmunt Bauman's theory of human waste. Human waste, or wasted humans, are those who the system does not want to recognize or allow to stay. They are regarded as redundant (Bauman, 2004). The ways in which the PRM can treat vulnerable groups as unwanted can be seen in participant discussions regarding South Auckland. A strong connection was repeatedly articulated between areas of Auckland and perceived quality of tenants and housing. South Auckland, in particular, was widely discussed in negative terms. This is significant, as while the ethnicities of tenants in South Auckland were seldom mentioned directly, ethnicity and area are strongly connected in Auckland. This can be seen in data from the 2018 census, which shows population percentages by ethnicity for South Auckland, compared to Auckland generally: Pacific peoples 41.1% (15% Auckland), European 26.9% (53% Auckland), 21% Māori (11.5% Auckland) (Statistics New Zealand, 2019).

Participant 4 openly discussed Pasifika populations while talking about South Auckland:

You know, so our office is based in South Auckland, we do have a lot of, you know, all the state houses, a lot of Pasifika. Whereas the company I was at before was based in Takapuna, so they had a lot more flash apartments. A lot more white people. And they have different, you know, different issues, like, people from higher socio-economic statuses, will be a lot more demanding about some things, they will have high expectations, expect, you know, expect everything to be perfect, like new...Whereas people from lower socio-economic statuses have much lower standards, that also tend to not look after houses as well.

This quote establishes an important and common association between South Auckland, Pasifika people, and low quality housing. What is unique is that this association is discussed directly here. Most other participant quotes allude to this relationship instead. The above participant also avoids vilifying lower-socio-economic status tenants, by framing all tenants as having issues, explaining that it is more the kind of issues, rather than the amount, that this factor can change.

Participant 1 expressed that his past work in South Auckland meant he had seen poor housing, showing the perceived connection between the two, without direct discussion of Māori or Pacific peoples:

I was working at the Manukau branch. So my portfolio was in Otara, Clendon, Mangere. I have seen some pretty horrific properties...

As discussed above, Meredith (2005) describes South Auckland suburbs, such as Otara and Mangere as 'Māori communities'. This common connection with South Auckland and Māori suggests that negative comments about South Auckland and the people there contain veiled references to Māori and Pacific peoples.

Participant 5 outlined some of the negative perceptions of South Auckland, which are commonly held by PMs:

Yeah, to my experience, most of all PMs they don't like South areas, because the chance of going Tribunal is really high. And in that area, you can never get a perfect tenant. So the property can't be too good. Because they

damage...Because they don't know how to protect, they don't know what carpet means.

This quote further reinforces the bias against people who live in South Auckland, framing them as responsible for the lack of quality in their housing, as poor property condition is attributed to lack of knowledge and skill of tenants. In practice, this further places a restriction on the quality of the housing available to people in South Auckland, which reduces the quality of housing available to non-Pākehā peoples, based on perceptions of their lower quality as people.

Participant 2 expressed an unwillingness to work in South Auckland, due to similar perceived issues:

I don't work out in South Auckland, and I've got a few out in South Auckland. And it's just the problems with the rent arrears. I'm just not comfortable working in that market. It's just too high maintenance.

This positions all people in South Auckland as people who don't pay rent and are too much work.

He further described the issues he found with South Auckland, linking this to deprivation in the area. He relates low housing quality to the inability of South Auckland tenants to avoid damaging the home, in a similar manner to Participant 5's quote above:

Interviewer: Have you worked in that area before? Or is that sort of information that comes through from colleagues in that region?

Participant 2: Well, big-fucka-one, where you've got a big family, it's a sort of five or six bedroom but you go in and there's holes on the walls and just too hard to live in, you know, hard living in the house. And I just really just find that a bit too full on. Because how do you fix it up? You can't. If I fix it up now, it'll be like that when they move out....And that seems to be a lot more prevalent where you have areas of economic deprivation, etc. And so I work in Greenlane 95% of my portfolio is not like that. So you know, when I see it, it's just so much hard work.

This quote further demonstrates the difficulty in detaching commentary on South Auckland, and commentary on Māori and Pacific peoples. As discussed previously, both groups are several times as likely to live in severely overcrowded homes than the general population (Statistics New Zealand, 2023), and both groups represent significantly larger percentages of the population in South Auckland than in other areas (Statistics New Zealand, 2019). This connection positions Māori and Pacific peoples as required to live in poor quality homes, due to their perceived lack of quality as tenants.

In a further example, Participant 2 directly identifies Pacific people and disadvantaged groups as the peoples typically living in low quality South Auckland housing. He also relates these issues to personal responsibility, framing them as living under irresponsible landlords and acting as irresponsible tenants:

When I started, I was given ten flats out in Otahuhu managed by this guy. And you know, he just didn't try you know, like, I won't work with landlords, I just said, "How come we're working for this guy? I just don't want this. You can have him back, otherwise I'm leaving". You know, just don't like working for landlords who don't acknowledge their responsibilities. And it is usually vulnerable groups like Pacific Islander communities or people, disadvantaged, who live in those places, you know. But they're responsible too, leaving and rubbish all over the place and smashing holes in walls... You know, my personal opinion is people like that should be underwritten by the government and should have government housing, either through they agreed to pay all the damage, fix that out when they leave or not on our books. Because we have internal obligations to our landlords to make sure people don't get into arrears. And people who cannot or will not pay their bills, including their rent, are not good tenants. I don't have anything to do with them. You know, even if they don't know any better, I'm not here to educate people and teach them how to pay their rent and bills. And, you know, we're not babysitters or motivational coaches, we're PMs, you know.

The above quote discusses how landlords often do not meet their responsibilities to tenants, remarking that it is typically vulnerable non-Pākehā people who are impacted. Despite acknowledging this, the quote then deepens the discussion

regarding tenants being responsible for their own issues. They are momentarily discussed as vulnerable, then in the same sentence framed as personally responsible. Later, their issues are portrayed as due to a lack of knowledge and education, rather than a lack of finances, or poor landlords. Finally, the participant states that people with issues should be excluded from the PRM. This is an expression of the prioritisation of property rights. The issue is framed as the right to decent housing for vulnerable populations impeding the ability of PMs to maximise profits, which justifies their full removal from the PRM. While other PMs have expressed a sense of ethical obligation towards tenants, this PM clearly defines his role as not including this kind of tenant support.

The above quotes demonstrate the strength of the association between quality of housing, quality of tenants, South Auckland, and, often implicitly, Māori and Pacific peoples. The idea that 'South Aucklanders' are too much effort and should be avoided serves to externalise issues within the PRM. They are discussed as not supporting the maximisation of profits, and therefore as redundant to the system, which prioritises property rights over human rights. They are treated as waste, as described by Bauman (2004)'s theory of Human Waste, with PM's discussing the inevitability of their poor housing and ways to remove them from the system entirely.

### **Power over tenants**

The three dimensions of power, as discussed previously, may be viewed as varied interpretations and applications of the same underlying concept of power (Lukes, 2005). That is, A is exercising power over B where A impacts B in ways contrary to B's interests (Lukes, 2005). Through their interviews many participants demonstrated power imbalances between themselves and tenants, however power was infrequently discussed directly. Rather, power was discussed through examples of tenants being restricted from reporting issues, PMs and landlords being able to ignore tenant requests and PMs being able to screen populations out of their properties.

Participant 6 discussed how powerlessness experienced by tenants allows for private landlords to 'prey' on them, without tenants seeking restitution:

...unscrupulous landlords, and quite often, they are preying on their own. And I've seen it firsthand. So yeah, and it disgusts me, to prey on your own people... And it's people that don't have the, either the wherewithal, or the resources, or the ability to do it. There's always the, "Shit, if I say anything I might end up out in the streets, with nowhere to go". So invariably, they get out of a situation when they can, and then they don't have any desire to engage in seeking any restitution, or doing it just gets too hard. So that happens more than you think.

This quote demonstrates a key power dynamic which exists between tenants and landlords/PMs in the present context. Tenants fear speaking up about issues regarding their housing, for fear of losing their access to healthy housing. As also described in the literature, tenants are aware of the power imbalance and this means they would not feel safe in standing up for their rights (Reid, 2017; Joynt, 2017). The commentary on bad landlords preying on their 'own people' suggests this is another veiled reference to a particular group or groups. The perpetrators of these predatory practices are discussed in terms of their ethnicity and their role as landlords, both of which may be used to position these actors as 'other' to the property management industry, externalising responsibility for these issues.

In the quotes below Participant 2 states his position that people who cannot manage their household, or are struggling with issues such as domestic violence, should not be involved in the PRM. He then discusses the power to remove or screen out such tenants:

In an ideal world, someone who cannot manage their rent effectively, and look after the house... You know, what do you do when there's domestic violence and stuff like that? You know, houses, we shouldn't have to get involved in stuff like that. But then I think people who have got problems should be with Housing New Zealand, because the government can afford to waive rent and fix things up for free. That's not a function of private landlords. I screen out those sorts of people so they never get into my properties.

The quote above demonstrates a belief that PMs have little to no social responsibilities in the provision of housing. That the provision of housing is simply an

economic transaction, and that the complexities that often accompany people within their everyday lives should be the responsibility of the government. The participant also dramatically oversimplifies the issue, stating outright that the government can simply afford to 'waive rent', or 'fix things up for free'. There is a strange irony here in that PMs often tout the importance of individual responsibility on the part of the tenant, but for PMs when providing housing is perceived as too difficult this responsibility is outsourced. The reference to 'those sort of people' represents the continued use of general terms for groups who struggle or face discrimination in obtaining housing. As discussed previously, in practice such thinking often refers to, or more negatively impacts groups such as Māori or Pacific peoples. Avoiding discussing this more directly may serve to facilitate ongoing discrimination without experiencing increased criticism or cognitive dissonance related to overtly racist practices. Most critically, housing and personal issues cannot be separated, as the home arguably represents a person's most personal space. Attempting to do so is indicative of attempting to treat rental housing entirely as investment assets, and not as homes.

Participant 4 discussed how the industry empowers landlords to engage in these forms of discrimination:

...there's no way that you could prove that it's discrimination or anything because landlords don't have to disclose their reasons for refusing anything.

This quote outlines the means through which landlords can discriminate against tenants with impunity, as they are not held to account by any external authority.

Multiple participants discussed the ways in which power that landlords have over PMs can be similarly imposed on the tenant. Giving an example of this, Participant 2 described how he was able to offset or avoid issues with landlords, through imposing issues onto tenants:

I had a property down the road and the trees were getting really high. And I felt a bit overwhelmed because the tenant kept saying, "The trees need trimming". So, at the wrong time I said to a landlord I didn't know that well, "Hey, we HAVE to get the trees", and I sort of inadvertently interrupted a

phone conversation. And then I got a letter cancelling the management. And I was so just, I felt so upset. But what I realised, you know, that happened once, okay. And then the tenant moved out anyway. So I realised in future hey look, I'm not going to do anything to disrupt my relationship with the landlord, better to put it on the tenant and see how meaningful that is, like, handle it immediately if I can, but if I put them off, see how long they keep complaining, and then maybe saying no, you know, we're not legally entitled to chop the trees.

This quote demonstrates the emotional impact the work can have for PMs. Changing his behaviour served to protect his relationship with the landlord, and through that his income and his feelings. This burden was, however, transferred to the tenant, as he could only avoid imposing requests onto the landlord to the extent that he can ignore or deny requests from the tenant. Such dynamics were commonly discussed by participants.

Landlords and PMs have significant power over the provision of housing in A-NZ, allowing them to act according primarily to their own ethical sensibilities. This is based on the significant power disparity between landlords/PMs and tenants. For example, tenants desire to avoid self-reporting and the difficulty in proving bias in the provision of housing mean there are few levers, even where there is notionally protective legislation in place. Additionally, PMs position of power over tenants means they can frequently avoid issues themselves between themselves and landlords, through imposing these difficulties onto tenants. Such power is concerning, given some PMs feel no obligation towards respecting what a home is, beyond being a resource for profit creation.

### **3.3 The property manager Experience**

#### **Introduction**

Theme two concerns issues within the property management industry which negatively impact PMs. This includes, variation between companies, incentives and practices for companies to overwork and under support PMs, and the ways in which working in the industry can impact PMs mental and physical wellbeing. The table below illustrates the order in which each sub-theme will be discussed.

**Table 2**

*Main theme and ordered sub-themes for 'The property manager experience'*

Main theme	The PM experience
Sub themes	Company culture
	Financial drivers
	Low training, high turnover
	Impacts on PMs
	Caring
	Property management changes how one sees people
	Relationship with landlord is priority

### **Company culture**

Company culture was described by participants as meaningfully variable across companies. Problematic PMCs, discussed by participants as 'managers', were seen as taking on bad landlords and maximising profit at the expense of people, causing burnout for PMs. In contrast, good PMCs were described as showing respect for staff, greatly improving the experience of PMs.

A common issue highlighted with poorer PMCs was accepting bad landlords. Participant 4 discussed how this can impact PMs and tenants:

...the things that annoy me the most are attracting bad landlords...in the recent new additions, there have been a lot of landlords who are very unresponsive, and sort of very accepting of things. I'd say that, you know, almost probably the majority of the ones in my portfolio, the portfolio of properties I was given when I started, sort of, I'd say in that category of not responsive, not willing to do maintenance.

This quote demonstrates how PMCs are able to take on poor landlords for profit and pass on the day-to-day difficulties of this to PMs and tenants. This is another demonstration of the power PMCs hold over PMs.

Discussing a negative experience she had working for another PMC, Participant 5 explained:

The company culture and management's terrible. They don't care about people, because the nature of this job is already really stressful. But management keep giving you bad clients [landlords], and they don't support you. And they have a really hard KPI [key performance indicators]. They don't...They only care about numbers. They don't care about people.

This quote reinforces the idea that companies are able to choose to conduct day-to-day operations in a profitable way by imposing increased difficulty on PMs and tenants. We can also see how people have become invisibilized within the provision of housing, with money, numbers, and KPIs being the clear central focus.

Participant 5 went on to explain the difference in sustainability between working for her previous property management company and her current one:

...nature of work already so stressful, then extra stress from the organisation. People will burn out...And, yeah, so as long as this company culture is good, and my portfolio stable, then it's okay...[her current employer] They talk to you first, before giving you a new business, if you're happy with it. They respect people.

Further into the discussion, Participant 5 added:

But if they are rude, or don't listen to you, and try to push you to wrong things, and I need to talk to my manager and company will decide to fire them. So that's why the company culture and management's really important.

These quotes demonstrate again the differences in practice between PMCs, regarding willingness to engage with problematic landlords, and the mental impact this has on PMs.

Respect for PMs and their right to have some power over which landlords they work with may serve to improve the PM and tenant experiences, by reducing the number of bad landlords each interacts with. This also allows PMs increased agency to educate owners in the practices they believe are most ideal for managing the property. This may serve to empower PMs and therefore protect tenants from unfair requests. However, there are direct financial motivations for PMCs to maximise profit at the expense of these two groups and few legislative checks to keep them from doing so.

### **Financial drivers**

Participants commonly discussed the relationship between the number of properties each PM is assigned and the financial motivations involved. In this sub-theme, the differences between companies, in terms of how many properties they assign and the motivations they have in assigning them, are discussed.

Participant 3 outlined how the financial motivations of companies can negatively impact PMs:

I think it [overburdened and inexperienced managers] happens because the big businesses want to make money in it. And therefore you need to put as many properties as you can with one person...

This quote reinforces the idea that PMCs have the power to prioritise profits with little consequence, resulting in damage to the wellbeing of PMs.

Impacts resulting from the practice of assigning high numbers of properties to each PM were discussed by participant 4:

... I'm feeling quite overwhelmed. I have 115. For someone starting out, that's considered about average...But you know, I've heard of PMs having over 200 properties under them.

This quote demonstrates that newer PMs are at times the ones being over assigned properties to manage, suggesting there is little consideration for the capacity of the individual PM within some companies. It may also be that newer PMs are commonly

less sure and therefore less empowered in their roles, allowing for them to be easily exploited.

In other companies, the number of properties assigned was related to level of experience. Participant 5 explained:

But for us, the very experience, we're maybe over 100 or 140.

This quote demonstrates that some companies are assigning newer PMs similar numbers of rentals as the experienced staff in other companies.

Participant 6 is both a PM and the owner of his own PMC. Here, he gives an example of how he arrived at the number of properties he assigns to each PM:

So I'm at around 70 properties, for a PM. Whereas I know some of these bigger crowds will be 140-160. You just can't do justice to it...that works out to be somewhere around about 25 minutes per property per week.

Whereas when you get up around 140, you're sub 3 minutes on a property.

The above demonstrates the significant differences in the numbers of properties assigned by different PMCs. While the description of time-per-property allowed when PMs are assigned high numbers further demonstrates ways in which such practices can lead to burnout for PMs and negative experiences for tenants.

Participant 6 expanded on this idea:

Yeah, I'd love to see an industry standard where they cap how many properties that an individual PM should and could manage.

This is an example of a PMC owner consciously choosing realistic workloads, in order to allow for quality work. This further demonstrates the reliance that property management has on good faith actors, such as PMC owners.

The requirement that property management has for PMCs to consciously choose lower levels of profit to improve performance demonstrates that the industry is under regulated. There is little to require PMCs to provide decent working or property management standards, and this power dynamic is being exploited.

### **Low training, high turnover**

As discussed previously, there are currently no training or licensing requirements for PMs (Ministry of Housing and Urban Development, 2024). This lack of entry requirements and the power PMCs have to push staff to maximise profits were discussed by participants as a system which created burnout and high staff turnover. The differences between PMCs was again discussed as stark, with other PMCs prioritising training and staff support.

Participant 4 explained how the lack of entry requirements motivated his entry into the profession:

I went through sort of a difficult time in my life a couple of years ago, and sort of, it did seem to be a way into sort of an industry that didn't really have any requirements...basically anyone can put their hand up and be a PM.

These quotes demonstrate ways in which the lack of entry requirements have the potential to attract people into property management simply because it is accessible. As explained in the previous sub-section, this participant was also rapidly assigned high numbers of properties.

These kinds of practices were described by Participant 6 as related to how easily companies are able to profit from poor practices in the current system:

It's just a book and it's turning over. And it's just easy, easy money. So pay your staff as little as possible and work them as hard as you can. And they just accept that there's a turnover. I really believe that. I don't think some of them give a monkey's about it.

In the above quote companies are framed as in a position of power, which enables them to abuse staff in ways that drive them out of the industry for profit, without caring about the impacts, as staff are easily replaceable.

Participant 5 described these issues as common and negative for everyone involved:

Interviewer: How widespread do you think the negative PMs are?

Participant 5: Quite common in Auckland, quite common. Yeah, especially small ones. Because they don't have a good system of good training. Yeah, and things are not transparent. Yeah, and not good for owner, not good tenant for sure. And I heard some companies they don't do inspections.

Later in the discussion participant 5 clarified that turnover rates are related to the practices of the individual company:

Interviewer: Do you see a high turnover rate in PMs, or no?

Participant 5: This company, no. But some company I used to work for [company name], the turnover after I left, every month, I think the turnover about 20 or 30 in the year.

These quotes directly relate the issue of poor PMCs, poor training, negative impacts on tenants and PMs, and high staff turnover.

Another function of the power PMCs have over staff and their acceptance of high staff turnover was demonstrated by an example from Participant 4. He explained the experience of being assigned culturally inappropriate clients as a Pākehā person and a new PM:

I think I also do have a disadvantage in the specific situation I came into because, you know, the guy I replaced was Chinese. And a lot of owners are Chinese. So I think he had a very different relationship with them than I do. I've had at least one where I tried to ring them, you know, and when they hear me speaking English on the phone, they hang up... I have actually one landlord, where he doesn't even have a forwarding address. It just says China.

Participant 4 went on to explain the practical impacts for himself and his tenants related to this situation:

I get no response. And I can't really fix anything. Because you know, I can't just go spend his money without approval. And then the tenants get pissed off at me because nothing's happening.

This again demonstrates the power that PMCs and landlords have over PMs and tenants by being able to impose unfair expectations on new staff, which results in unmet requests from tenants.

The inappropriateness of this situation was clarified by Participant 5, who is a Chinese PM. She described the cultural preference Chinese owners have for Chinese PMs:

Yeah, I'm from China...And most of my owners are Chinese. Firstly most of Chinese owners they want someone to speak Chinese, but I found most of them they can speak fluent English. But why they still want a Chinese girl to look after them? Because the culture.

Based on her knowledge of Chinese landlords and being a PM in Auckland, Participant 5 speculated on Participant 4's situation stating:

So with the case you mentioned, I think both parties will be really stressed.

These quotes demonstrate that there is a known cultural preference among Chinese landlords for working with other Chinese people, beyond issues such as communication difficulties. This is an example of compounding unrealistic expectations placed upon a new PM, where he was both over assigned properties and assigned inappropriate landlords.

This sub-theme outlined many of the practices PMCs engage in to maximise profits, reducing the quality of property management work and causing high staff turnover. This may reduce professionalism or knowledge in the industry generally, as many PMs are acquired for a short period, undertrained, and then cycled out. This further creates a culture where PMs are considered expendable, much in the way that tenants are often regarded as replaceable, due to the previously described highly competitive and unaffordable A-NZ housing market (Joynt, 2017). This

disempowers both groups, as power imbalances continue to be imposed by landlords and PMCs onto PMs and tenants.

### **Impacts on property managers**

A hierarchy of power within the property management sector can be discerned from participants' comments. Tenants are at the bottom, with PMs above them, PMCs above them, landlords above them, and, in theory, legislative controls above them. The systems and impacts of structural violence were outlined in Theme 1, with PMs often participating in these systems. Going one level up in this power hierarchy, we see many of the same structural violence systems and impacts imposed on PMs, coming from PMCs and landlords. Where PMs work for poor PMCs with this can have complex impacts on the wellbeing of PMs. Participants in this study reported psychological and physical health consequences related to such working conditions. In this sub-theme, these issues are discussed in relation to power and high staff turnover.

Participant 4 discussed his experience of working with unresponsive landlords and the impact on his mental health:

I mean, as someone who is, you know, still very inexperienced on the job, it is something that I struggle with a lot...because it is draining, having people coming to you every day asking when something is going to be fixed. And you just have to say, "I don't know".

He later clarified:

Um yes, it impacts quite significantly on my mental health.

These quotes demonstrate the power afforded to PMCs, through the lack of PM legislation, which allows them to accept high turnover and remain profitable. Thus they are able to ignore the issues they create within the industry, as the negative impacts are imposed onto PMs and tenants.

Participant 4 explained how this is impacting his desire to continue working in the industry:

And sort of, does make me question whether I do actually want to continue being a PM...I think about quitting my job probably about five or

six times a day.

This demonstrates the exploitative nature of this acceptance of high turnover. These practices can change entering into property management from a career opportunity to an unpleasant job one is forced out of. For tenants, there is often no possibility of escaping engagement with PMs or moving to improved housing, requiring them to continue dealing with the negative consequences of industry practices which maximise profit.

Participant 5 outlined how stress from working at her previous PMC impacted her both physically and mentally:

So at a Christmas party, I suddenly felt I want to vomit. Because I keep taking emails I shouldn't. There's email about really grumpy and uneducated, cannot be trained, owner. Tenant took us to tribunal and I was really stressed. I knew we're going to pay some compensation. I don't want my name and company name in New Zealand Herald. Then what I saw the email she replied, I got nervous. I think because the long term burn-out, depression... So when I stand up and walk maybe to that door that I fell down I just lost all conscious.

This quote demonstrates the power that landlords can have over PMs. The PM frames herself as unable to educate the landlord, avoid the Tribunal, or stop checking emails she knows she should not be checking. Through such circumstances, PMs can feel unable to protect themselves from owners, much in the same way that tenants are often unable to protect themselves. Both lack a sense of agency.

Participant 5 continued, explaining the PMC's ongoing behaviour:

Then after six months company make KPI much harder, gave me more difficult clients to deal with. Then one night I, when I talked to my mum, I suddenly feel numbness in my hands. Then my husband took me to emergency. When I lie down, my neck couldn't move. I couldn't even talk. They said because your stress levels over, so the whole system's shutting down.

It is not clear from these statements how aware the PMC was regarding the initial medical episode or the cause, however where staff are literally being pushed to the point of collapse any ethical company should be aware. In this case, the PMC continued to increase expectations to maximise profit from the PM until she was physically and mentally unable to continue. Such examples demonstrate the significance of structured violence's impacts on health.

Participant 5 outlined how leaving that PMC was the only healthy solution:

Then they put me also to take anti-anxiety drugs, and I need to see a specialist in [suburb] for breathing...Before I know the issue, then I just, I thought I just go to yoga, or some have some alcohol at the end of the day. When the whole system burned down, then I realised, no, I can't keep doing this. Even I tried to relax, but organisation put you in the situation you cannot change, then you have to leave that environment...So a few of my colleagues take the similar drugs as well. And I realised that's the problem. I have to leave. Then I left and I feel much better now.

She later discussed how she felt at her current PMC:

Yeah, quite relaxed. And yeah. Again, the company is really supportive. They don't allow anyone bully us.

The participant outlines here that leaving was not an option, but something she had to do for her health. The need to take medication demonstrates the long lasting impacts of PM exploitation through this system of high turnover. The second quote demonstrates that PMCs do not need to engage in these practices or cause harm, these are choices made for financial gain. Other companies are able to practise sustainably while also supporting staff.

These quotes demonstrate the process by which unethical PMCs are able to maximise profits through imposing the consequences onto new PMs. PMs are not given an appropriate opportunity to succeed, rather they are used until they are forced to move and then replaced. This is made easy by the lack of entry requirements for new PMs into the industry. This can be seen as structural violence as the harms are not direct, rather the issues causing harm to PMs are built into the system through unequal power, enhanced by a lack of appropriate legislation.

## Caring

Participants discussed how one has to find a balance in how much they care as a PM. If one cares too much, they can be driven from the industry by various stressors, which are explored below. If they care too little, they can treat their work only as a job, forgetting the human element. Through the interviews with participants, it became evident that the industry may be systematically selecting for the latter group, reducing the amount of compassion for tenants within the industry over time.

Participant 3 discussed the many factors one must balance to work sustainably as a PM:

You need to be very responsible, ethical, moral, you know to be able to do this job well. And on the other hand, those are also all aspects that make this job so so hard, because actually, this job is not right for me...I've decided I'm not I'm not going to go property management anymore after I have a child, because I'm too involved in it. And it's not right for me. So yeah, actually, someone would need to find the right balance.

The above quote demonstrates that involved PMs, with a strong sense of ethics, may struggle to stay in the industry.

The emotional impact that working in property management can have on those who care strongly is demonstrated in two quotes from participant 4:

Like, I had to evict a tenant about a month or two ago. I think I was more upset about it than she was.

He later stated:

You know, when shit goes wrong, when people are angry, I sort of can't help but take it very personally.

These quotes demonstrate that day-to-day work, such as evictions, and issues which upset tenants, can have significant emotional impacts. This may be another means through which the property management industry selects for PMs who care less. If

the emotional impact is a significant part of what drives some out of the industry (as discussed in the above sub-themes), over time a higher percentage of PMs who care less will remain.

Participant 3 discussed the prevalence of this issue, stating:

And I think that there's, there's a larger portion of PMs who probably don't care than those that do care.

This quote reinforces the idea raised in the quotes above, that there are systems in the industry which allow for or increase the prevalence of PMs who do not care.

### **Property management changing how one sees people**

Participants commonly discussed tenants letting them down whenever there were issues, or when PMs attempted to be supportive, as well as the negative impacts from working around other PMs, and how their perceptions were changed by these issues.

The experience of being a PM often reduced participant's faith in people generally. Participant 3 explained:

But I think as a PM, the most disappointing thing is people. And it's made me look differently to people. You can't trust people...You can't trust them. Even your best friends who move into a property, you cannot trust them. They're all people. I always say to a landlord, and a tenant: "It's the landlord's property. But as a tenant, it's your home". And I think because of that, it becomes super personal.

This quote demonstrates the difficulty PMs face in mediating the tension between the house as an investment and the house as a home. The PM feels attacked personally when the needs of the investor are imposed on the tenant. This is experienced by the PM as a personal issue or attack, rather than a response to the system, with the PM as symbolic of the landlord.

It was discussed by participants that these negative interactions are often related to problems or money. Participant 5 explained:

...with no money involved, everything's happy, everyone's happy... if you want to charge the bond, they will turn around start shouting at you. Yeah, that's the nature of human. That's the main, that's the core of this industry why is stressed.

This quote frames these negative interactions as an issue of human nature, rather than discussing the unbalanced systems which set these kinds of relationships up. This quote further suggests that those who are most likely to impact the way PMs think are also populations who are likely to be vulnerable in other areas, such as financially. This is meaningful as repeated negative interactions with vulnerable populations appear to bias the way PMs think of them.

Participant 5 continued:

Before I was being a PM, I feel like they are vulnerable. But after being a PM doing this job for like, 10 years, because I go to see them and deal with them, and I take them to Tribunal. We have lots of communications, though I know the people very well. So after that, I feel like most of them are not vulnerable.

Here the participant outlines a slow attrition of her perception of the vulnerability of tenants. This may be an aspect of the industry which drives PMs towards personal responsibility narratives. As perceptions of vulnerability have gone down, their issues are increasingly framed as personal failings.

Participant 4 discussed the way he perceived tenants as being negatively impacted by the culture of his PMC.

The impact on me personally, I'd say it is like intrusive thoughts. And, sort of like, being surrounded by these kinds of thoughts sort of makes you think it yourself. Like, I'd say it does, you know, being surrounded by people saying racist things all day does kind of make you think what you can expect from certain people. And you do start to sort of put people into these categories.

This quote underlies the importance of PMCs working to create healthy internal cultures, as systemic issues like racism are otherwise able to influence incoming PMs

Participant 4 went on to discuss the impact these changes in his thinking are having on him:

I sort of didn't expect this from myself, in a lot of ways, sort of like I didn't expect to sort of have to be the bad guy.

This demonstrates a level of uncomfortable cognitive dissonance which can occur for newer staff in unhealthy PMCs. Despite being conscious of what is happening, Participant 4 is experiencing changes in his thinking which conflict with his perception of himself.

The above extracts demonstrate the ways in which systemic issues and the personal nature of housing can create negative perceptions between PMs and tenants over time.

### **Relationship with landlord is priority**

PMs occupy a unique position, working for the landlord, while also being tasked with receiving and addressing tenant issues. These two parties often have conflicting wants or needs, which ostensibly places PMs in the middle. This is because the landlord is needed to keep the business going, but PMs are legally required to address tenant needs (through corresponding with the landlord) which are covered under tenancy legislation. The idea of PMs existing in this middle space was indirectly discussed by participants. Participants largely discussed their relationship with the landlord as the priority, however many also discussed the need to push landlords for things such as repairs, as well as their willingness to fire landlords who could not be worked with ethically.

In this dialogue, Participant 2 discussed the importance of his relationship with landlords:

Really realising my first priority was to preserve my relationship with the landlord. You know, someone who's task focused like me needs to remember to be relational. And the most important thing is the relationship.

Interviewer: Is that a general idea that sort of your first priority is to maintain that relationship with the landlord?

Participant 2: Both parties but, you know, definitely the landlord. Because tenants come and go, the landlord is the person who pays us.

Relationships are repeatedly stated to be centrally important, however tenants are described as coming and going, suggesting a reduced quality of relationships with their PMs. In this quote, the relationship with the landlord is also related to financial incentive, demonstrating another dynamic which requires PMs to choose to act ethically, over financial gain.

Participant 2 further described how prioritising the relationship with the landlord enables him to avoid the risk of losing business:

Sometimes the landlord won't pay. There's one guy who won't pay. He says he can't afford it, which is a lie. But I'm not going to put stress on the relationship by forcing him, because he might just say, "I'm taking my business somewhere else". I don't have the authority to berate the landlord and stuff like that. I could say, "Hey, look, the tenant could take this further, if they feel they haven't been heard, or treated fairly". So then the risk's on the landlord at that stage, as long as we've notified them, they're gonna pay the fine at the end of the day.

In the above quote tenants not having their needs met, or landlords being faced with a fine are framed as acceptable, provided this does not impact the PM. It suggests that while the landlord is discussed as the priority, the true aim of the PM's actions and sense making are to protect his own income.

Alternatively, many participants discussed fairness, and the rights of tenants as important in their practice, despite the landlord relationship being the priority. This was discussed by Participant 4:

We need to understand the landlord is our client, but the tenants are also a consumer of a product. And we are also providing a service for them. And you know, they're not livestock... You know, we do have to respect their rights and their wishes as well.

The reference to tenants not being livestock underlies the idea that tenancy is not a simple business relationship. Tenants have rights as people, beyond what market forces might dictate, and cannot be treated as animals to be maximally utilised for profit.

Other PMs went further, discussing their willingness to push landlords to act ethically. Participant 5 stated:

Even my job is working for owner but I have to be fair...Especially with maintenance, just keep delaying. If my owner tries to delay, I always chase them. And if you don't do this, if tenant take you to Tribunal, that's the consequence. I need to educate them, push them.

Participant 5 has previously outlined how supportive her current PMC is. This quote demonstrates the power to act in accordance with their own ethical beliefs that PMs with supportive PMCs can have. This softening of the power imbalance between landlords and PMs also reduces the impact of power imbalances experienced by tenants, as it allows the PM to advocate for their needs.

For other PMs, working with landlords who breached their sense of ethical or legal standards was discussed as something they were unwilling to do. These participants describe their willingness and ability to stop working with bad landlords. An example of this process was outlined by Participant 3:

So what happens is that I work in a way that I am very, I think I'm very fair, and I'm honest. And if I think the landlord does something wrong, I'll tell the landlord, because I do not want to end up with, I don't know, serving the tenant a notice that the landlord wants me to do, but it's technically incorrect, or I think is ethically incorrect. I won't do that, even though I'm obligated to the landlord because the landlord is my client. I mean, I've literally had a client that I did not agree with nearly every single thing that he said, and I've told him multiple times, "This isn't working. I think it's better for you to find another PM"...Finally, they go, after a year trying to get rid of him. And yeah, I told the tenants, as I said, "Look, I'm very sorry, you know, this management is coming to an end. I've tried my best for you, but that is how it is". But I don't

think that many PMs would do that. Because at the end of the day, I lost money on it, but I do this business, because, you know, you're not going to earn money in this business.

This quote again demonstrates the ability PMs can have to act as a shield, to protect tenants from unfair landlord requests. Despite this, landlords will always have easy access to less ethical PMs, due to the lack of entry requirements for the industry. This issue was also touched on by other participants. Interestingly, the participant speculates that other PMs would be unlikely to do this, however many participants in my study indicated they were willing to fire landlords.

Participant 6 explained that when he purchased his business, a meaningful number of landlords were not meeting their legal requirements and he was therefore willing to lose them:

When I first started and I purchased a rent roll, I had a number of landlords that I wouldn't jell with. They were really passive landlords, they wouldn't want to spend any money on their property, when they really needed to. And that's including things like Healthy Homes. Anything that you're doing would be questioned to a higher degree. And I would say probably there is a good percentage of the properties I bought with my initial rent role that I no longer have. And I don't cry about it.

This quote demonstrates that some companies may hold meaningful numbers of landlords who do not meet their legal requirements. This underlies a willingness by some PMCs to take on such owners. The quote also demonstrates, as Participant 6 runs the PMC in which he works, the importance of having a business owner who operates according to his own ethical standards. This reduces the number of bad landlords associated with the company, which was highlighted in previous sections as one of the main issues PMs faced in less supportive companies. Were PMCs to act more ethically, this could create pressure on landlords to act in accordance with property law or be removed from the industry.

The willingness to stop working with difficult landlords could also be a practical decision. Difficult landlords can require extra time, reducing the value-to-effort ratio for the PM. Participant 6 explained:

So I've got one property, which is high maintenance landlord, high maintenance tenant. And I'm coming to the end of the year, and I'm spending too much time with both of these people. Maybe I need to let that go. And that is for the betterment of not just my own mental health. But also, I'm not doing justice to all my other clients by spending so much time on these two people with one property. If it was just a tenant that was using a lot of my time, yep. But you're forever getting demands, and, you know, getting the property owner saying "Oh, you're not doing your job, you're not kicking them out". I'm working within the legal framework.

In this quote, reducing the number of bad landlords is framed as a practical decision, to improve the quality of his work. He also reflects on the improvement to his own mental wellbeing in doing so. This reinforces previous participant quotes which outlined the damage to their wellbeing, and the reduced work quality associated with being forced to continue working with bad landlords. This is also example of an issue which came up multiple times in interviews, where a landlord attempted to force a PM into committing an illegal act, requiring the PM to either deal with the negative consequences of acting illegally, or the negative consequences of dealing with an angry client.

The quotes above demonstrate how different PMs approach working with landlords who do not meet their obligations. In my study, the landlord was generally considered the PMs priority, however, approaches to dealing with them varied significantly. This is meaningful to understand as approaches individual PMs take regarding bad landlords may serve to either facilitate or reduce landlords not meeting their legal obligations. Therefore, the PRM is currently over reliant on the choices made by individual PMs. Unfortunately, the PMs themselves may need to feel empowered to enforce their ethical standards. Participants 3 and 6 run their own companies, while Participant 5 has a supportive company and they were the participants who most discussed the ability to fire landlords. This demonstrates that the current system is over reliant on PMs empowering PMs to act on their own sense of ethics, in order to protect tenants, which speaks to a lack of effective legislative regulation in the industry.

### 3.6 Legislation

#### Introduction

Throughout this study I have worked to demonstrate the many issues, such as power dynamics and discrimination, that tenants face. These issues have been framed as systemic within the rental system and related to a lack of effective legislation and effective implementation of legislation. The PMs in this study conversely framed legislation as overreaching and therefore harmful. In this theme their stated perspectives on landlord characterisations, key pieces of legislation, and the Tenancy Tribunal are explored. The table below illustrates the order in which each sub-theme will be discussed.

**Table 3**

*Main theme and ordered sub-themes for 'Legislation'*

Main theme	Legislation
Sub themes	'Rich-prick' landlord characterisations
	Healthy Homes
	Housing warrant of fitness
	Proposed PM legislation
	Tenancy Tribunal

#### 'Rich-prick' landlords

A regular theme in interviews were public perceptions of landlords, which framed them as 'fat-cats' or 'rich pricks', and how these characterisations were unfair. This sub-theme outlines the ways in which characterisations of landlords as

wealthy or living in luxury are countered by narratives about hard work and regular people saving for retirement. This is followed by a discussion of how participants perceive these narratives as impacting tenancy law.

Participant 2 demonstrated the idea of the 'fat'-cat' landlord when discussing what caused tenants to make unfair requests:

Might just have that resentment and have this perception of the landlord as some fat-cat. But I honestly just think people are a bit slack. They don't like doing housework.

Here participant 2 shows an awareness of these characterisations, but makes sense of the issue instead through the lens of personal responsibility. Tenants are framed as making demands out of either resentment or due to their own 'slackness', not due to legitimate issues or experiences of systemic unfairness.

The idea of unfair media narratives framing anyone who can own a second home as wealthy, in a way that has a negative connotation, was expressed by many participants. Participant 6 stated:

And people think landlords are, you know, rich-pricks and greedy, but they're not, by and far 97% of my rental book is one property, one owner. Invariably a couple who were in the 50s, who bought an investment home as the most sound investment they could find, for their retirement to get capital gains out of the property, and they're all topping the mortgage up. That's not being self funded from the rent at all. Not even close. So there is this fallacy that if you can afford a second home, you're a rich-prick. It's just people looking after themselves and doing the right thing. And that's been made all the more harder. And then you couple that with legislation where you get a bad tenant and you can't get them out.

This quote exemplifies the way in which participants used narratives about older people, responsible investment, and retirement to counter perceived negative narratives about landlords. The quote frames landlords as vulnerable, due to their age. It also reflects neoliberal values, as outlined by Springer, (2016), with landlords being framed as good people as they are meeting their personal responsibility to

compete well within the free market. After framing landlords in a positive light, the participant frames tenancy and tax legislation as existing in opposition to those landlords. This serves to recontextualise landlords as good people who are being made to struggle.

Very similar narratives, used for very similar ends, could be seen across participants when discussing these issues. Participant 1 stated:

Yeah, ultimately, the landlord 99 times out of 100 is not some fat-cat, lounging in the Mediterranean, on board his boat yelling orders at us to collect the rent. It is somebody who's worked bloody hard to get where they are, and hopefully putting together some sort of little retirement package with this property. And again, more often than not, it works out nicely. The tenants behave, they pay the rent on time and everything else.

Above, the participant alludes to a perception of landlords as wealthy in a way which places a negative moral judgement on them, this is then countered with a characterisation of landlords as hard workers, saving for retirement. The similarities between the arguments made by Participant 1 and Participant 6 demonstrate this is a common form of sense making, used to frame landlords positively. This is an expression of the 'mum and dad' landlord trope. This trope serves to present almost all landlords as average wage earners, who are squeezed through high interest rates, while working to create a modest nest egg (Mare, 2023). Participant 1 arguably goes further, using this trope to also infantilise tenants, treating them as children who need to 'behave'.

Participant 1 went further into these narratives and how they negatively impact government policy:

Apart from probably just a general dislike of some of the laws out there that are affecting landlords, mainly because A. I represent a lot of landlords, B. I'm a landlord myself. And so potentially, I think, under this government, there have been certain laws that have changed, that are making it harder to be a landlord. And as much as they may be perceiving landlords as being the rich-pricks, and that they're an unnecessary scourge on society. And again, there are far too many of us swimming around the Mediterranean on our yachts. It's

in fact the exact opposite, and that we are providing an incredibly necessary service to the country...Again, the law of unintended consequences comes into play. Fewer properties, more tenants looking for them, rents go up. And unfortunately, it's the tenants who are going to pay the price ultimately, through some poor policy decisions.

The repeated discussion of negative landlord characterisations, which use more direct language here, demonstrate the significance of this topic for this participant. This may, in part, be due to his involvement in housing ownership personally and professionally. Characterisations of landlords are thus characterisations of both himself and his clients. Mare (2023) discusses attempts to position landlords as beneficent people, doing a favour in allowing others to rent their properties, as another common aspect of the 'mom and pop' landlord trope. In the above quote, this trope of 'service provision' is used to counter negative landlord narratives, suggesting landlords instead provide something important. Finally, the participant engages in the 'unintended consequences' trope, which will be demonstrated throughout this theme, which suggests anything that impacts landlords will also impact tenants, tying the wellbeing of landlords to the wellbeing of tenants, and framing tenancy regulations as misguided. This kind of sense making allows for the PM to argue against legislation in the rental space, without having to consider that the existence of negative landlord characterisations may have a legitimate relationship to negative impacts imposed on tenants by the PRM.

Participant 5 explained how such biased media narratives could encourage tenants to exploit legal protections for money:

Yeah, because there are quite a few popular news about how much money the tenant get from out of landlord....I think media, they really interest of the Tribunal cases that the owner lost...Because there are so many cases published: which tenant, take which landlord, for what reason, and get money off of it. Then tenant, they don't know the whole picture, they think, "If I take landlord, I can get money".

This quote demonstrates another perceived practical consequence of rich landlord characterisations and how these relate negatively to protective tenancy legislation.

Tenants are framed as opportunistic, trying to get money out of their landlord as soon as they see an opening, even one they do not fully understand. This kind of sense making frames an increased discussion of landlords being fined as due to an unfair system, which may prevent PMs from acknowledging practices where landlords do exploit tenants. This characterisation of tenants as the ones exploiting the Tribunal also does not align with use statistics, as the government's tenancy services website reports that landlords made over 80% of all Tenancy Tribunal applications between 1 October and 31 December 2023 (Tenancy Services, 2024).

The most impactful thing about rich-prick landlord characterisations may be the impact of the characterisations and tropes used by PMs to counter them. As opposed to being 'rich-pricks', landlords are framed as moral, hardworking couples who are saving for retirement. These are common elements of the 'mom and pop' landlord trope, which enables the framing of legislation as unfairly harming landlords, rather than as protecting tenants. The trope of 'unintended consequences' then additionally frames legislation which harms landlords as also harming tenants. Employing these counter characterisations therefore removes pressure from PMs to critically consider issues with current wealth, housing, and health disparities. Instead, it enables and even glorifies the continuation of practices which contributed to these disparities, such as the cultural focus on housing as an investment.

### **Healthy Homes**

Attitudes towards Healthy Homes legislation were mixed, with participants discussing elements of it as useful and others as damaging. Participants acknowledged the need for some standards in A-NZ, but also focused on a lack of choice regarding heat pumps, and houses being poorly ventilated.

Participant 5 outlined the need for some level of insulation legislation in A-NZ:

Healthy Homes. I feel like in general, for example, insulation is good. I do agree with that, because some old house, for example, some owners they do land banking. They don't care about the property. They don't care about quality of tenants. And some old, really old houses, no insulation, it's really freezing.

This quote demonstrates an agreement that without some level of legislation, tenants and likely PMs, would be further impacted by poor landlords and put into unhealthy situations.

Others, such as Participant 1, discussed Healthy Homes as a good idea that needed to leave room for individual circumstances:

The Healthy Home standards....Great idea, poorly executed in a lot of ways. Because there are certain - trying to fit square pegs into round holes at times, you can't just give a blanket law on certain things...But equally if you had individual laws for each individual property, I know it could be a little bit difficult, but that's where the ability to be able to potentially object on particular grounds should be available.

The above quote argues for the ability to object in unique circumstances, however were landlords able to argue for changes to the minimum standards, power imbalances could lead to abuse of the system. As previously discussed, tenants can experience fear of repercussions when challenging their landlords or PMs (Joynt, 2017; Reid, 2017), which may make tenants unwilling to challenge such landlord requests. The intense competition for rental properties, discussed previously, may additionally compel tenants to accept changes, in order to avoid homelessness.

For multiple PMs the idea of Healthy Housing legislation needing to leave room for individual circumstance was related to heat pump requirements. Participant 5 stated:

Some tenants tell me, “[Participant 5] I'm worried about rent will go up if you install this heat pump, I don't need it”. I can't ask. You have to install otherwise, we'll be in trouble...But with heat pump, I'm not too sure. Because some people, most of people in south area, they can't even afford for some food. Why you provide that?...So, at the end the money from tenant, not from landlord. The rent price has gone up a lot because of this.

In this quote the participant argues that Healthy Homes legislation causes housing deprivation and negatively impacts specific populations, such as South Aucklanders. This framing ignores the nature of the system which allows, rather than forces,

landlords to pass costs onto tenants. Ignoring this allows for the participant to frame Healthy Homes as the issue harming tenants, rather than acknowledging that warm housing should be a basic standard. The participant also externalises the issues of food and energy poverty, discussing them as though they are not associated with excessive rents.

Another issue that participants commonly discussed was a lack of ventilation requirements in Healthy Homes. Participant 3 explained:

But not all houses are built to be blocking them up with all kinds of insulation and stuff. I think a ventilation system in the house is far more important to keep the airflow and not give mould the opportunity to sit. And, I think that whoever had been looking in the government for the standards of the Healthy Homes has not done that correctly.

This quote represents a common narrative that through the lack of a meaningful ventilation requirement, Healthy Homes often makes homes more mould prone. While there are ventilation requirements included in the Healthy Homes standards, they are largely limited to openable windows in all habitable rooms and extractor fans in kitchens and bathrooms (Ministry of Housing and Development, 2024).

These quotes demonstrate that healthy housing is a complex issue, and approaches to it may need to evolve over time. There is potential through these kinds of discussions with unique stakeholder groups, such as PMs, to identify gaps in the legislation's effectiveness, such as the lack of ventilation requirements. However, other suggestions, such as the consideration for parties unable to afford central heating units, appear to be made with a lack of regard for necessary protections for tenants. This also needs to be considered in relation to previous quotes regarding any level of housing being rentable, as tenants are currently desperate for housing. Tenants may indeed willingly make deals to rent unhealthy homes if it lowered their rent. While this could be framed as filling a niche, it would actually represent the decay of rental housing quality through a lack of proper legislation and become another aspect of housing health issues which disproportionately impact South Auckland, and therefore non-Pākehā peoples.

### **Housing Warrant of Fitness (WOF)**

Cities, such as Auckland, with significant housing issues, must make conscious choices about what to prioritise in order to improve housing conditions over time. As discussed previously, multiple actors, such as The Auckland Council and the Green Party, have suggested that a housing WOF will be needed in A-NZ (Auckland Council, 2021; Swabrick, 2023). Conversely, PMs in this study were almost universally against the idea of a housing WOF. They discussed concerns regarding overregulation, interruptions to the cycle of renting, and being punished for the actions of 'bad apples' who do not represent the property management industry. A single participant discussed being broadly in favour of a WOF.

Participant 2 discussed a potential WOF as an extension of unneeded government overregulation, which would allow for bad actors, and not support health:

I'm anti overregulation. There was a guy who came in here saying, "We think you should have to get a Healthy Home report after every tenancy". And these are guys who do Healthy Homes reports, you know, so all that does is put lots of money into their pocket. It's not going to change your life. Because the only thing that could change is if some of the draft stoppers fell off, or your gutters weren't working, and we pick that up anyway. And, you know, the tenant needs to help us by reporting maintenance. And so I don't, I think it's a really bad idea.

In this quote, the participant discusses the idea of a housing WOF as overregulation. In support of this position he refocuses the responsibility for identifying housing issues onto tenants, he reduces advocating for a housing WOF to a money making scheme, and he minimises the impact housing issues can have on the lives of tenants. These statements serve to suggest that the current housing legislation is effective and additional legislative protections, such as a WOF which might be costly for those in power, are a bad idea. These ideas can also be seen as a reflection of neoliberal principles, such as personal responsibility. Further, neoliberalism holds that the state should not interfere with the private sector, in part because the state does not possess enough information to second guess the market, and the state is vulnerable to invested parties biasing state interventions for their own purposes (Harvey, 2020). Finally, while he has discussed negative actions within the property

management industry in previous quotes, these are framed here as due to 'cowboys' who do not truly represent the industry. Through these processes of vilifying any action taken by the state, and framing PMs who cause problems as not truly a part of the industry, he is able to advocate for the functionality of the status quo and against government protections for tenants.

Participant 1 discussed a housing WOF in positive terms initially, but as he continued talking he began to outline how it would, in fact, not be useful:

The concept is good. I would be favourable of it in theory. It would depend as to how it would be run, how often it would have to be checked, what kind of things are required because to a certain extent, the Healthy Homes laws cover a lot of that. But then equally I've seen the houses that pass Healthy Homes laws that are absolutely tips otherwise. It's always a difficult thing... But a warrant fitness in regards to well, I'm not sure. We've already checked for all the drafts coming through windows, we've checked that ventilation systems work, we've checked that heaters can be heating a room up to a certain temperature, as part of Healthy Homes. So to a certain extent, I'm not sure what else is necessary to check on a regular basis, because the tenants will let you know if something's broken or not working.

It was common for participants to discuss issues with Healthy Homes, then discuss it as covering all issues when related to a potential WOF. Here, the participant expresses that housing issues are covered by Healthy Homes, while also stating he has seen complaint homes which are tips. This suggests cognitive dissonance as these statements exist in contradiction to each other. It appears personal responsibility narratives are again used to resolve cognitive dissonance. The participant subtly frames the issue as the PM having done their job through completing Healthy Homes inspections, and any remaining issues being the tenant's job to raise. This serves to re-assert that the issue of unhealthy homes is actually related to tenant behaviours, reducing the perceived need for additional protective legislation such as a housing WOF.

Participant 1 continued framing poor actors and poor housing as inevitable:

So, look, again, when we get to extreme edges and legalities and whether or not a house is compliant: if somebody wants to break the law, they will do. There will always be those who operate on the margins and push the limits and try to make as much money as possible for, again, the majority of people in the middle who already conduct their lives and the businesses with honesty and integrity, it potentially becomes another cost that they've got to bear, when they were already complying.

This quote frames the majority of people profiting from the PRM as good and moral. It does this through framing any bad faith actors as 'other'. They are not a negative aspect of the system, rather the system is working well and they are outside of it. This is then used to frame additional legislation as unfairly impacting the moral majority, for the actions of the immoral other. Such ideas can be viewed as an expression of the 'bad apple' trope. Dirke (2021) states that the 'bad apple' trope is often used in narratives to suggest that the system, capitalism, is not the cause of the issue, and that were it not for these bad apples, the government would be capable of reducing negative effects of neoliberalism. The trope achieves this through shifting the focus away from the collective political sphere and into the domain of personal integrity and morals (Dirke, 2021). Here we see a PM engaging the 'bad apple' trope to distance themselves from the problems in the industry, and using this to rationalise a lack of need for increased legislation.

Participant 4 felt more positively about the idea of a housing WOF, outlining issues in Healthy Homes as a rationale for its implementation:

If a home was Healthy Homes compliant, when the legislation was introduced back in 2019, who knows if it's still gonna be compliant now, what, five years later? You know, I think it needs more, probably more regular check-ins than that...[Presently] It's just done once. It's just a certificate.

Participant 4 was one of the only participants to link issues with Healthy Homes to the need for further checks on the homes, despite issues with Healthy Homes being ubiquitous amongst participants. This demonstrates how commonly sensemaking practices in the industry are used to reject additional legislation.

Through the issue of the housing WOF, a great deal of cognitive dissonance and strategic sensemaking were displayed. All PMs in the study discussed continued issues with the health of rental housing in A-NZ, yet almost all participants were against additional checks through the proposed WOF. Alternative solutions were also not discussed. Rather, participants showed a tendency for sensemaking to be used to resolve issues, where the needs of renters and investors are at odds, by framing housing issues as related to personal responsibility and 'bad apples' who do not represent the wider PM industry.

### **Proposed property manager legislation**

Throughout this study, property management has been discussed as a 'cowboy' industry, rife with bad actors. The lack of legislative barriers to entry were further discussed as a major cause of the bad actors within property management. Despite this, the rental industry as a whole has been discussed as over legislated in ways which are unfair or unhelpful. In keeping with these broader conflicting themes, PMs expressed mixed feelings about the potential PM legislation. On the positive side, they discussed some level of licensing as needed to remove bad actors from the industry. On the negative side, they discussed the ability to ignore legislation based on power dynamics, a dislike of existing real estate bodies governing the property management complaints process, and the issue of not licensing private landlords.

Several participants discussed licensing of PMs as key to improving the industry. Participant 4 reflected:

I think it will absolutely change the face of the industry and really it should have been done a long time ago. Just the fact that you'll, you know, get rid of all those cowboys in the industry. And I think that having, you know, more strict regulations on training, making sure that people actually know what the fuck they're doing would be very helpful.

Rather than 'other', 'cowboys' are framed in this quote as part of the industry, which are in part caused by the lack of legislation.

Participant 1 similarly felt licensing needed to be introduced to remove bad actors:

One important thing though, that I think should happen, is that PMs should be registered. Be, um, part of the Real Estate Institute of New Zealand, just like a sales agent is... Truly make it a professional industry because at the moment, anybody can just, um, set up shop and call themselves a PM. It's very much a cowboy industry out there with some smaller players.

In this quote, unlike Participant 4, he uses language to continue the framing of poor PMs as 'other', by stating anyone can 'call' themselves a PM and referring to 'smaller players' who perpetuate the 'cowboy industry'. Describing poor PM in this way can be seen as another expression of the 'bad apple' trope.

Participant 3 identified licensing as potentially useful for improving understanding in the industry. However, she described compliance with industry standards as related to PM's individual ethics, rather than legislation, due to the difficulties in challenging illegal practices:

And I've also heard of literally people opening businesses with low management fees, who have no idea how property management works... So it's, yeah, that's where a licence will be good. But still, even if you have a licence, it's about the ethics of this person.

In the above quote the participant acknowledges some usefulness in requiring a licence. However, she points to the system of poor oversight and power imbalances as enabling bad PMs to act according to their own ethical standards, or lack thereof, even if new legislation is introduced. While this is likely true to some extent, given the issues regarding power dynamics and reporting within the current systems, the answer should be to try and introduce legislation with improved systems for catching non-compliance.

Multiple participants discussed the lack of efficacy in systems for licensing real estate agents as a concern with the proposed PM licensing. Participant 3 explained:

But then again, I've also done the licence for sales, and I know that sales agents are heavily licensed and heavily monitored... And I've just personally

experienced that real estate agents, more often than not, do not follow the rules as they are required by law. So I think it would be great, yes, it would be great to have some licensing in place for PMs. I don't think it will be much help...Because you still have the ethical way of dealing with it.

This quote again frames legislation as generally ineffective and individual ethics as the main driver of people's work quality, through discussion of the participant's personal industry experience. This also continues a practice of discussing issues with pieces of legislation and stopping there, rather than discussing the need for, and ways of achieving effective implementation of laws.

Another concern expressed was the lack of impact the bill would have on private landlords. Participant 6 continued:

The other thing is private landlords are not going to be moderated at all. And I think that is fundamentally flawed, because I would say there was a significant percentage of private landlords that are falling well short of the benchmarks that have been set via the legislation or industry.

This is a salient point, as 59% of landlords manage their own properties (Ministry of housing and development, 2021). If tenants have been identified as needing further protections from those who manage their homes, specifically a licensing system, these requirements should be applied to anyone with power over their homes. This may represent a significant gap in the legislation's ability to improve housing health in the PRM.

While there was general support for the idea of introducing legislation, in order to reduce the access 'cowboys' have to the industry, this support was limited. Participants argued that bad actors were 'other' to the industry proper, that legislation could not impact those bad actors, that the use of existing and flawed power structures would undermine the legislation, and that over half of those controlling private rental properties would not be included. Despite revealing so many perceived negatives, there was little discussion regarding how to work around those issues, or implement legislation in a way that would have a true impact. This

continues themes of the inevitability of unhealthy housing and bad actors, as well as a general opposition to legislation within the interviews.

### **Tribunal**

The Tenancy Tribunal was discussed in mostly negative terms by participants. This included ideas that laws make being a landlord too difficult, adjudicators are biased towards tenants, and that the Tribunal was something to be avoided through other strategies. Interestingly, as discussed previously, this does not reflect the rate at which landlords actually use the Tribunal. Landlords made complaints to the Tribunal four and a half times as often as tenants did in the final quarter of 2023 (Tenancy Services, 2024).

Participant 6 discussed tenancy laws as having changed the power balance to unfairly favour tenants.

Well, ultimately, the new laws that have been in place for a couple of years now, at least are very heavily in favour of the tenant. Gone are the days of the landlord being able to just issue a 90 day no reason, get out of my house kind of rule. So therefore, once a tenant is in there, providing the tenant is paying the bills on time and not destroying the house, they can be there as long as they want. They're the ones with the, ah, all of the power in this regard. So consequently, if there are issues as long as they are legitimate issues with the property, they can fight as hard as they want, and the landlord is just going to have to suck it up.

In this quote tenants ability to fight no cause removals or illegal landlord behaviours, when they are meeting their own obligations as tenants, as them having 'all' the power. This demonstrates the extent to which PMs often view legislation as a force which damages landlords, rather than protecting tenants. This quote's discussion of tenants' power to fight against their landlords also does not engage with the power dynamics involved, which commonly prevent tenants from self-reporting issues or challenging landlords (Joynt, 2017; Reid, 2017).

Participant 1 discussed current tenancy legislation making it too difficult to be a landlord:

But landlords are going to be facing some extremely strong headwinds over the next 12-24 months unless things radically change quickly. And tenants, especially the bad tenants, are the ones who will miss out. Because at the moment, if we have a property advertised, and it's a good property at a good price, we will have masses of people turning up and we get to cherry pick the absolute best tenants...And the people at the bottom of the pile, have no chance of getting in there. Because of the way the laws are, and our inability to be able to try to rectify things in a timely manner for the landlord. So we just don't want to take the risk.

This quote once again represents the 'unintended consequences' trope that through imposing difficulties on the landlords, legislation actually negatively impacts tenants. However, were laws to change, making tenants easier to remove, PMs still would not have an incentive to avoid the cherry picking practices described here.

Discussion of Tribunal adjudicators as biased in favour of tenants and this being a central source of what undermined the fairness of the Tribunal was common. Participant 5 discussed the idea of biased adjudicators and the impacts they can have:

So like landlord [company name], we sue the tenant. And people can see that work order clearly. So the whole order, like two or three pages, how much the landlord get from the bond and what has happened. Yeah, if that published, to be honest, any experience PM or landlord, if they notice, they wouldn't [take the tenant]...And basically, if when I won the case and should be published, but some of adjudicator they don't care. They still on tenant side, even the bad tenant, then still, you know, give them suppression order, which is really not good for the future. Because future landlord, they wouldn't be able to know the story. They may take them, then they will damage the next one...The right way to do it is, I think, if totally tenant's problem, and tenant lost the case, they should publish. That will be fair to future landlords.

In this quote, while publishing Tribunal records is framed as fair for landlords, it is also discussed that it would prevent those tenants from gaining housing in future. This advocates for a class of tenants who, if they have lost at Tribunal, would become excluded from the PRM. Such a process may also prevent tenants from making claims at the Tribunal, as this would create a significant consequence for losing, becoming another barrier to tenants self-reporting.

Participant 2 discussed tenancy law in its current form, and biased adjudicators, as social policy being unfairly applied to the private sector:

There's no place for activist biased adjudicators who have an extreme tenant focus, because that's not applying the law properly. And it's not fair on the landlord. And it's not fair on the person, either. Because what it does is enables that person to continue the bad behaviour... They go on and get a council government flat where the problems on the government, you know, then it's social policy, but I don't believe in bringing social policy into the private sector. It's wrong.

It is noteworthy that multiple participants framed not punishing tenants as allowing them to continue bad behaviour. This frames the state as facilitating ongoing poor behaviour from tenants, as well as continuing the trend of infantilising tenants. This suggests that while the PM in question feels his industry should not be involved in social policy, it is still in some manner the government's responsibility to curtail poor personal behaviour from tenants, or facilitate their removal from the PRM. Ironically, this would represent significant social policy being implemented within the PRM. This quote demonstrates the extent to which some PMs regard housing as a private market transaction, rejecting any notion of housing being an inherently social issue.

Participant 3 expressed that biased adjudicators made those who looked into their rights tenants to be avoided, because of the unfair Tribunal system they created:

For example, people who are into the rules are either the very wealthy, they study the law, and then think that they know everything better. Or those that are very low at the income scales, either on the benefits or have so little income with lots of children or whatever, they still sort of are on the benefit or

are just making ends meet. Those are the people who, they don't necessarily know the law, but they are on the phone with tenancy services every day finding out what their rights are and how they can, you know, trick you kind of. And those are the ones that you need to be really careful of, because, like I said, an adjudicator will do anything to try and rule things in their favour. And that's not necessarily right... So that's what I'm saying at all costs, we try and avoid Tenancy Tribunal because that is not ethically correct. So therefore we are sort of very cautious with those who do look up their rights because it's not fair protection. It sounds so crazy. I mean, we try and do everything by law and ethically correct.

While, if they exist, legitimate biases at the Tenancy Tribunal may be considered unfair, the practical result of this belief in property management is to further restrict access to housing for vulnerable populations. This again plays into the narrative that it is tenant protections which are causing these unfair impacts on tenants, not those in power within the PRM.

Despite discussing the need to reduce the difficulty in removing bad tenants, Participant 2 also framed PMs as responsible for proving issues to the Tribunal:

I think the settings are about right. The only thing I would say is that it should be a little bit easier to get rid of bad tenants. But then again, you know, like, like, our responsibility is to prove to the Tenancy Tribunal even with - see for this lady I'm trying to get rid of, it's on me to actually prove that she needs to be evicted. You know, we were wrong. The grounds we used were not legitimate because she wasn't a full 21 days in arrears. So that's on us.

Participant 2 went on to state:

...when we go to the Tenancy Tribunal, you know, I've had 100% success in getting rid of bad tenants just through evidence, and applying the law.

The above quotes, in many ways, underlie the idea that whether adjudicators are or are not biased, PMs still have significant power at the Tribunal.

Multiple participants discussed the Tribunal as something to be avoided.

Participant 3 discussed how and why PMs work to avoid going to the Tribunal:

I've spoken with some other PMs as well, to somebody who agrees, you try and avoid the Tenancy Tribunal. And by the tenancy law they also say, recommend, try and come to an arrangement yourself. And if you really can't get out of it, then go to Tribunal. I mean, it's really last last resort. And it's not a fun way. And it's definitely not fun for the tenants either. Although, adjudicators and tribunal are always ruling in favour of the tenants. So it's very, very tricky...

While such arrangements may work for both parties, it is important to acknowledge that tenants experience fear regarding attending the Tribunal and part of this fear is related to a lack of knowledge regarding its systems (Joynt, 2017). This means that power dynamics may result in private agreements unfairly favouring PMs, as tenants may strongly favour avoiding the Tribunal or lack the knowledge to negotiate effectively on their own behalf outside of it.

The above quotes demonstrate the ways in which PMs and landlords feel generally disempowered by the Tribunal, regarding it as unfair and biased towards tenants. This was expressed despite the fact that landlords initiate the Tribunal proceedings far more than tenants, and that one PM stated he had a 100% success rate in removing tenants. This illustrates the uncritical and often conflicting discussion PMs provided on the topic. This sub-theme also demonstrated the extent to which PMs can prioritise the needs of landlords, without similar consideration for tenants.

## **Chapter 4: Discussion and Conclusion**

### **4.1 Introduction**

This chapter is composed of three main sections, ordered as reflections of the three main themes described in the Findings chapter, followed by a conclusion. These reflections focus on central ideas/concepts within the literature which relate to or help to further clarify the systemic issues described by the Findings. These include structural violence, neoliberalism, othering, emotional labour, and power. While the Findings chapter above describes participant experiences, with significant contributions from the literature, this chapter aims to condense this into a coherent narrative. This will include increased engagement with related literature and an increased focus on the study aim of improving health through utilising knowledge from an overlooked stakeholder group (PMs). These sections are then followed by a concluding statement and a paragraph outlining the weaknesses of this study and the potential for future studies in this space. This will serve to clarify the arguments I have made throughout this study and provide significant evidence related to the suggestions made regarding potential improvements to the PRM and potential focuses for future studies.

### **4.2 Reflections on theme one**

#### **Pervasive personal responsibility narratives**

Personal responsibility was a dominant narrative for some participants, while also being prevalent in more subtle ways across participants generally. The notion of personal responsibility was used to suggest that issues within the PRM were primarily related to the failings of tenants. Some participants took this further, using this to uphold that the PRM was largely functioning well, fairly facilitating the needs of all involved. This was enabled by the ability of participants to externalise any

issues that were identified within the PRM as failings of the tenants, not the system itself.

In practice, personal responsibility narratives served to externalise issues, allowing for PMs to engage less with issues experienced by tenants and thereby avoid spending money on properties. This further serves to maintain the status quo, as if issues are created by the tenants, then it holds that the PRM is working well and there is no need for additional legislation. If anything, tenants are the ones who should be educated or removed by the state, to protect the functioning PRM from the non-functional tenants. In this context, we can see how there is a struggle between property rights and human rights, with personal responsibility narratives facilitating the belief in property rights, through suggesting human rights have either been met already, or are not the purview of the investor to meet, as the issue is with the tenant.

### **Systemic discrimination as a counter argument to personal responsibility**

A central issue with these personal responsibility narratives, which was made evident throughout the interview and analysis process, is that they ignore wider systemic issues through individualising problems as the tenants' responsibility. This study highlighted systemic issues within the PRM almost all of which negatively impacted tenants. These included widespread issues discrimination and racism. Such issues unequally impact people's access to decent housing, and in doing so demonstrate that their difficulties are often related to external factors, and that personal responsibility narratives are reductionist and harmful.

Beyond this, the PRM is not an unbiased stage where anyone who works hard will receive equal opportunities and resources. Participants described extensive discrimination and racism within the PRM and property management, which limited the ability of certain groups to access decent housing. This was made most explicit when participants discussed Indian people. Indian people were described as commonly rejected outright from housing, based on their ethnicity (and perceived associated cooking practices), with landlords instructing PMs not to accept them. One PM went further, explaining she too would restrict the access Indian people had

to higher quality housing, even without landlord instruction. This was commonly related to the issue of not being able to remove curry smells, which as in one quote related to the need to protect future tenants from said curry smells. Were the protection of other tenants the sole reason, this would mean broadly restricting one demographic's access to decent housing, for the sake of protecting other demographics from potential cooking smells. I argue that the more likely rationale for this discrimination is to save on cleaning fees for landlords, or to maximise later sale value.

Discrimination and racism towards Māori and Pasifika peoples was also common in interviews, however this was described in a much different manner than discrimination against Indian people. Māori and Pacific peoples were sporadically mentioned specifically, however participants typically used discussions of South Auckland as a stand-in for direct ethnic commentary. Māori and Pacific peoples are much more strongly represented in the population demographics for South Auckland than in Auckland generally (Statistics New Zealand, 2019b). The connection between Māori and Pacific populations are well understood within Auckland, with one council resource describing key South Auckland suburbs as having become Māori communities (Meredith, 2005). Through this context, commentary on South Auckland can be read as also containing coded commentary on Māori and Pacific tenants.

Participants discussed tenants in South Auckland as low quality, using this to justify the provision of low quality housing to people in that area. This logic was also used to suggest providing repairs to tenants' homes in South Auckland was also not viable, as they would just damage it again. Properties in this area were described as horrific and the people there as creating too many issues, making PMs not want to engage with South Auckland at all. In the extracts, PMs almost universally framed these issues as related to the poor quality of people in South Auckland, and their failings of personal responsibility, without discussing issues as related to the systematically poor provision of housing in the area. One PM went beyond not wanting to work in the area themselves, and discussed the need for the government to take responsibility for such tenants, removing them from the PRM entirely. This demonstrates the way in which participants' discriminatory practices against Māori

and Pacific peoples are an expression of Bauman (2004)'s theory of Human Waste. These groups do not fit easily, or profitably, into the PRM for housing, and as such are regarded as a waste product of that system, which is entirely unwanted.

### **Neoliberalism and 'failed' tenants**

Neoliberalism attaches notions of morality to capitalism, with the distribution of goods via the free market discussed as not only the most efficient means, but also the most moral (Springer, 2016). This positions those in power and with capital as also morally right and just in their actions. Inversely, Springer et al. (2016) states that those who use social housing are increasingly labelled as 'failed citizens'. This is in keeping with the findings of this study, as participants engaged in similar moral and personal responsibility discourses, discriminating against potential tenants who had used state housing.

This same dynamic was shown to exist outside of the housing context by another A-NZ study, focusing on neoliberalism and food insecurity, which discussed how neoliberalism is used to frame using foodbanks as a failure of personal responsibility by those using them (Reynolds et al., 2020). This demonstrates that such discourses about those who need support are common within A-NZ. Through these characterisations participants in my study blamed tenants for their own housing issues, as participants described the low quality housing as reflective of them as low quality tenants. Provision of decent housing was not reasonable, as tenants were incapable, or flawed as people, and therefore could not maintain a nicer home.

Engaging in neoliberal notions of failed tenants allowed for the PMs to disregard issues of poor housing, as it externalised the issue. There are no issues with the PRM, but rather there are issues with 'flawed tenants'. Throughout this study, many participants also took a deterministic approach to the provision of poor housing, suggesting that because there will always be failed tenants, there will always be housing issues, through no fault of the PRM. For many participants, such narratives appeared to remove any potential obligation to work against issues related to the continued provision of low quality housing. This demonstrates that the bias

against state housing users can trap them without a realistic way to take personal responsibility as a means of improving access to housing.

## **Structural violence**

More than acting as a counter to notions of personal responsibility, this discrimination is a form of structural violence. Structural violence, as discussed previously, is where one party causes harm to another in an indirect way, making it hard to identify a concrete source (Galtung, 1969). The United Nations describe housing as the basis of one's security and stability, as well as the centre of their emotional, social and even economic lives, requiring its provision to be a human right (United Nations, 2024). It is a well researched phenomena that where decent housing is not provided, tenants experience worse mental health outcomes (Joynt, 2017; Singh et al., 2019; Clark et al., 2022; Serjeant et al., 2022) and worse physical health outcomes (Baker et al., 2013; Bennett et al., 2016; Dale, 2017; Brown et al., 2023). The discrimination described above and the associated health consequences described in the literature demonstrate that A-NZ's commitment to the human right to decent housing is being breached through everyday practices within property management. As such, issues within property management cannot be reduced to a matter of personal responsibility, they are systemic.

## **Power**

The three dimensions of power as defined by Lukes (2005), as discussed previously, may be viewed as varied interpretations and applications of one party impacting another party, in a manner which is contrary to the second party's desires. Here, this will be discussed broadly, while discussion of the individual dimensions of power is done later in this chapter. The discrimination towards certain tenant groups, described by PMs in this study, provides examples of specific expressions of the power dynamics between the two groups. Through these examples, it is evident how these dynamics benefit PMs and negatively impact tenants. PMs have the ability to restrict the provision of decent housing to certain groups. This serves the PM by

reducing their perceived risk and providing a rationale for avoiding maintenance on the property (the tenant will just damage it again). Similarly, describing these groups as low quality people, and therefore only suitable for low quality housing, provides a rationale for the provision of low quality housing, without any moral implications for the PM.

Much of this discrimination was centred around PMs' power to categorise groups as 'other', in ways which had meaningful impacts for both PMs and the groups categorised. Through defining these groups as part of the alien, or inferior out-group, they could frame them as incapable of living in a civilised way, as the in-group does. Therefore, the provision of low quality housing, avoiding repairs, and driving vulnerable groups towards disenfranchised areas of housing could be framed as a natural response to the difficulties posed by housing these flawed out-group members.

The practical results of the discriminatory practices described by participants, can be seen as further evidence for the property management industry as a perpetrator of structural violence against specific populations. Māori and Pacific peoples experience greater issues with mould and damp (Statistics New Zealand, 2021) and overcrowding (Demographia International Housing Affordability Survey, 2021). Related to such housing conditions, Māori and Pacific peoples experience more frequent illnesses (Statistics New Zealand, 2021), while their children experience a far greater risk of hospitalisation or death from preventable conditions (Barnard & Zhang, 2018). PMs may not be harming these communities directly, however are practically engaged in continuing housing provision and discrimination patterns, which have systematically harmed the health of non-Pakeha groups for generations.

More broadly, the findings of this study described a PRM where tenants feel, and are, easily replaceable. This dynamic was most succinctly described when participants discussed their ability to rent out any home, due to the desperation tenants have for housing. Participants regularly discussed how the PRM partially or fully excluded certain groups, who would then become desperate and take any housing they could obtain. Participants discussed their ability to cherry-pick the absolute best tenants, due to the numbers who apply to every property. Thus,

tenants must compete for housing they struggle to afford, or risk becoming homeless. This suggests people are being actively forced into unhealthy housing, demonstrating a failure of A-NZ to meet the right to decent housing. This again demonstrates the property management industry's role in structural violence as housing is a key determinant of mental health (Singh et al., 2019), and Auckland rents are known to be experienced as unaffordable and a factor which impacts the mental health of tenants (Joynt, 2017).

The extent to which these issues are the result of ineffective legislation in the PRM was outlined by participants, who explained there is no way one could prove discrimination. Through this we can see that not only do power structures which allow for significant discrimination exist, but there are insufficient legislative levers to empower tenants to demand change. Without a significant push to change the power balances with the PRM, the health of tenants will remain lesser than that of landlords, and the systematic disenfranchisement of non-Pakeha peoples will continue.

### **4.3 Reflections on theme two**

#### **Relatable experiences**

One of the most unique findings of this study was the extent to which PMs also experienced adverse effects from the lack of legislation, and resultant power dynamics, within the property management industry. Participants described significant differences to their role and wellbeing, based on the company they worked for. This positioned them as reliant on the individual ethics of their PMCs, much in the same way tenants were positioned as reliant on the individual ethics of their PMs. Many described their jobs as largely easy, resulting in few difficulties for them. Yet others described their company as focused almost entirely on KPI's, forgetting the human element, and damaging the health of both PMs and tenants.

Some PMs discussed being treated as expendable and worked unhealthily hard to maximise profits, with the knowledge that they could be replaced if they

burned out. Participants described the ways in which this leaves PMs reliant on the morality of the PMCs they work for. PMCs have significant profit motives to overwork and under-resource their staff, while there are few legal levers to require them to consider their health needs. As discussed previously, property management lacks any central licensing or training requirements (Ministry of Housing and Urban Development, 2024), facilitating easy replacement of PMs. Problematic PMCs were described as accepting higher turnover as a means of maximising profit through offering little training or support to staff to save money. This practice of accepting high turnover for profit commonly included practices of taking on landlords of any quality level, over assigning properties, and using PMs as emotional shields to absorb tenant frustrations.

### **Inter-company differences in properties assigned**

Taking on problematic landlords was generally regarded by participants as the most significant imposition on PMs from low quality PMCs. Bad landlords were described as pushing PMs to engage in illegal activities, lying, resisting education, pushing PMs to make unfair requests on tenants, and taking up inordinate amounts of time (and thus restricting time available to support other clients). Through these practices such landlords had significant impacts on PMs, as it put them into positions where they had two undesirable options. They could challenge the landlord, who has significant power in their professional life. Or, they could impose these landlord requests onto the tenant, over whom the PM has power. The first option jeopardises the viability of their business or job, while the latter holds little consequence beyond potential feelings of guilt, or the need to absorb anger from the tenant. The above demonstrates that while tenants rely on the ethics of individual PMs, PMs are also reliant on the individual ethics of their employers and their landlords. Where PMs do not have ethical landlords or PMCs, this creates active disincentives for many PMs to engage with their tenants in a supportive manner.

PMCs also varied significantly regarding the number of properties they would assign to each PM. As one participant explained, the number of properties each PM manages relates directly to the amount of time they have to spend on their

properties. Thus, a PM who is over-assigned properties is more likely to struggle to meet the needs of their tenants. This results in stressful scenarios for both parties, as tenants become frustrated at the lack of engagement with their requests, and PMs are required to absorb said anger without any reasonable means of resolving the issue, or explaining the true problem.

### **Emotional labour**

Where landlords and PMCs engage in practices which prevent the PM from appropriately addressing tenant needs, such as those described above, this can be seen as requiring a form of emotional labour from the PM. Emotional labour, as described by Hochschild (2012) refers to managing feelings, as a means of creating a public bodily and facial display, which can be sold for a wage. Participants in this study regularly described being unhappy with landlords, or with situations into which they were placed, with little ability to do anything about this. Rather, they must act professionally while attempting to appease the tenant, despite being unable to address their issues or properly explain their own lack of power.

Due to their power to accept high staff turnover, and the limited legislative power tenants have to protect themselves, PMCs externalise responsibility onto tenants. That is, they are able to prioritise KPIs and profit maximisation, knowing that the fallout will land on PMs. Modern frontline workers are often required to put a positive face to an emotion-deaf arrangement, which can be considered the emotional labour required to sustain a problematic system (Hochschild, 2012). PMs are put into positions where they cannot defend their actions logically, with their work instead focused on absorbing the emotions of the tenant. While workers engaged in emotional labour have to modify their expressed feelings, their clients retain the right to express their anger (Hochschild, 2012). Further, due to those who perform emotional labour typically being front-line staff, when customers think of the company they do not think of those working behind the scenes, they think of front-line staff (Hochschild, 2012). In this way, PMs are made vulnerable to the emotional responses of the tenants, who are often angry at treatment from the wider system

the PM has come to represent. This dynamic allows the landlord to occupy the role of demanding profiteer since this emotional labour has been outsourced.

Participants described significant impacts on their mental and physical health, based on the imposition of the emotional labour, inappropriate landlord allocation, lack of training, and over-assigning of properties. One participant discussed the difficulties they had in managing tenant needs, as a new PM, when his landlords were almost entirely unresponsive. He described this as having a significant impact on his mental health and as causing him to think about quitting several times a day. Another participant described her company increasing KPIs and engagements with bad landlords until she had an acute breakdown of her mental and physical health. She was required to move to a different PMC and begin taking medication to recover her health after this. Her experience in her new PMC was described as supportive and allowing her to thrive. This underpins the principle that PMCs have to be profitable without harming their staff. They are, however, choosing to maximise profits at the expense of the health of others. In these ways it is evident that PMs also suffer from structural violence, as they are systematically, indirectly harmed for these profits. At present, this is largely legal, if not ethical.

Participants described how working in property management changed the way they saw tenants over time, causing them to view them as less vulnerable, in ways which appear related to structural violence. Tenants and PMs are two of the most vulnerable groups in the PRM. Where there are insufficient protections for them, they experience negative impacts, however most of their dealings are with each other. Over time, this reduces the compassion PMs have for tenants, reducing support for vulnerable tenants. This process is potentiated by the requirement for PMs to engage in emotional labour, acting as shields for the wider industry and those above them in the power hierarchy. This demonstrates the ability for structural violence, through hidden and invisible expressions of power, to cause a misdirection of blame for power imbalances. The lack of clarity regarding who is perpetrating the violence leads to protection for the PMCs, and passing of blame between PMs and tenants.

Based on the interviews, it appears that the property management industry in its current form may select for those who care less about tenants. The amount of

emotional labour required, and the amount of structural violence one can experience (and feel required to impose onto others) were shown to drive those who cared out of the industry. Further, participants described that a balance is required for PMs, in terms of how much they care about tenants and issues within the PRM. Those who cared too much were more likely to burn out. While those who cared too little were often discussed as being able to flourish. While those who discussed caring for tenants described feeling driven out of the industry or out of the PMC they worked for. It appears the property management industry therefore reduces the numbers of PMs who care, while allowing for ones who care less to continue, reducing the overall compassion for tenants throughout the industry over time.

### **The three dimensions of power**

As discussed previously, Lukes (2005) divides expressions of power into three categories, visible, hidden, and invisible. Participants in this study indirectly described a power hierarchy. At each level, those above are able to impose decisions onto those below to reduce their own load. The convoluted nature of this system, where there are multiple layers of interacting power dynamics, resulted in much of the power being expressed as hidden or invisible. Through interviews, empowering PMs was revealed as one means of making such power dynamics more visible.

One participant discussed feeling required to commit acts of proxy racism, in order to protect his position and avoid pointless labour. He explained that if a landlord states they are unwilling to provide housing to certain ethnic groups, there is no sense in his trying to go against this. His labour will be wasted if he submits applicants from those groups to the landlord as they will only be ignored. This may also create friction in his relationship with the landlord, as he has denied their request to exclude certain tenant applicants and, in so doing, 'wasted' their time. Therefore, he engages in ethnic discrimination for housing, as asked. In this example, the PMs interaction with the landlord is an expression of hidden power. The PM is aware of the power dynamic, and therefore does not raise the request to discriminate as an issue. However, the tenant's experience, in relation to the

landlord, can be described as invisible power. There is almost no way for a tenant to know they were rejected on the basis of their ethnicity, and even less potential for them to recognize that this rejection was preordained by the landlord.

The ability, or the perceived need, for PMs to avoid issues themselves, by imposing those issues onto tenants, was a common power dynamic described in interviews. PMs commonly avoided addressing tenant issues, as a convenient means of avoiding issues in their own relationship with the landlord. In such situations, the tenant and the PM are involved in an issue of visible power, with the tenant making requests and the PM ignores these. The PM and the landlord are simultaneously involved in an issue of hidden power, as the PM is having impositions made on them by the landlord, and they risk damaging their relationship if these are debated or not enacted.

Empowering PMs appears to be one means through which power could be made more visible. The ability to choose which landlords one worked for, and to fire landlords, was a key determinant as to how empowered or disempowered PMs described themselves as being. Where a PM was empowered by their PMC to fire landlords they described being able to avoid engaging in illegal or unethical behaviours. This also made them feel supported and happier in their roles. One participant explained that when empowered to fire landlords they could be more direct with tenants about what was happening, and they could be more direct in challenging the requests of the landlord. Such empowerment could change interactions in the PRM into expressions of visible power. While landlords would still have the power to deny tenant requests, and PMs would still have these situations imposed onto them, they would become able to discuss the issues directly with all parties. This may serve to reduce the emotional labour involved, as while PMs would still have to act as the face of a problematic system, they would no longer have to put a smile onto it. They would be empowered to express their true feelings. Through this increase in clarity regarding power dynamics, the impacts of structural violence would also be reduced for PMs and tenants.

While the above outlines the importance of the individual ethics of PMCs, I argue that it also demonstrates that a system which relies on individual PMCs to choose to act ethically is itself not ethical. While some PMCs may act ethically, and

therefore empower their PMs, the wider industry still allows for abuse. Participants explained that, even when fired from a company, poor landlords will always have the ability to move to a less ethical PMC/PM and thereby continue their problematic practices. Similarly, poor PMCs are still able to engage in profit maximisation, at the expense of the health of PMs, regardless of some PMCs choosing to act ethically. Both of these issues are strongly related to the lack of regulatory standards in the industry, allowing anyone to enter and provide low quality or unethical services to the landlords who choose to have their properties managed in these ways. This will not change unless more effective legislation is implemented.

#### **4.4 Reflections on theme three**

##### **Defending a largely anti-legislation perspective**

Most participants acknowledged a need for some level of legislation, however the overall results presented a largely anti-legislation sentiment. While some suggestions regarding how things could be improved were made, many participants were resigned to the idea that there would always be low quality housing in A-NZ, framing this as largely unrelated to the industry of property management. This was achieved through the use of tropes and othering to re-frame issues or discredit their relationship to property management. This allowed participants to acknowledge some of the more obvious issues within the industry, while also commonly arguing against additional legislation. Many of the arguments made by participants regarding legislation appeared to be designed to defend their position, with little discussion given to how things could actually be improved.

There was a general sentiment amongst participants that conditions had become too difficult for landlords recently, with one suggesting the power had swung greatly in favour of tenants. Additional legislation was therefore framed by most as an attack on an already overburdened group. This is in strong contrast to how participants described the general public and the media perceiving landlords. Many participants described landlords being treated publicly as 'rich-pricks' or 'fat-cats',

who are unfairly assumed to be the cause of problems due to their wealth. One participant further explained how they believed this perception of landlords was also causing tenants to abuse legislation, using complaints as a means of squeezing money out of their landlords. The strength of these views may be related to the connection between PMs and landlords, as despite their power imbalance, PMs in this study and others, considered the relationship with their landlords as their primary concern.

More telling were the sense making practices participants engaged in while framing these negative characterisations of landlords as unfair. Participants almost universally did not engage with the idea that such characterisations could be related to how tenants feel they are treated within the PRM. Instead, participants used tropes, such as the 'mom and pop' landlord trope, as a means of creating their own counter characterisations. As discussed previously, the 'mom and pop' trope frames all landlords as average wage earners, who are being unfairly squeezed while saving for retirement (Mare, 2023). Such tropes attempt to remove the professional context, instead presenting landlords as providing housing in much the way a kind family member would (Mare, 2023). This serves to suggest that not only are 'rich-prick' characterisations inaccurate, but landlords are the ones who are currently being mischaracterised and treated unfairly. Multiple participants also framed tenants negatively while discussing these ideas, making statements which impugned their moral character. Combined, these ideas act as counter framing, suggesting the 'rich-prick' narratives were unfair, as landlords are, in fact, moral and tenants immoral. Such sense marking practices remove the onus for PMs to take responsibility, or show consideration, for the discomfort of tenants, as they have framed their dislike of landlords as misguided.

Another trope, which emerged through my interviews, was the 'unintended consequences' trope. Participants commonly argued that attempts to legislate the PRM were misguided as anything which impacted those above tenants in the power hierarchy would also negatively impact tenants. Any legislation which increased costs for landlords, such as the universal heat pump requirements in Healthy Homes, was described as a poor policy as these costs were inevitably passed on to tenants. Interestingly, the idea of this being related to power dynamics, or the

landlords choosing (rather than being required to) pass these costs onto tenants was never explored. Such arguments from PMs appeared to exist as a catch all. Whatever legislation is proposed, if it is not good for landlords, then it can be characterised as also harming tenants. This demonstrates a common practice amongst participants of shutting down potential solutions, presumably as a means of maintaining the status quo.

### **Healthy Homes and a potential housing WOF**

Healthy Homes was discussed generally by participants as needed in some ways, such as to provide some level of insulation. However, participants raised several issues with the legislation. Multiple participants argued that it should include the ability to apply for exemptions or changes to the heat pump requirements. They stated that costs were inevitably passed onto tenants, who could not afford this and therefore did not want it. However, such arguments ignore the issues of power dynamics and tenant desperation. As participants discussed, tenants are commonly desperate for housing, and as the literature states, tenants experience significant power imbalances with PMs (Consumer NZ, 2023). Tenants would therefore likely accept applications to change or avoid heat pumps, due to their desperation for housing. This would serve to create a two tiered rental system, where those who can afford it would have access to healthy housing, and those who could not would have to sacrifice this right to avoid homelessness. Further, participants discussed this as a particular issue in South Auckland, which suggests this two tiered system would more commonly impact non-Pakeha populations.

Interestingly, once the discussion of a potential housing WOF was introduced, many participants began ignoring their previously stated issues with Healthy Homes. Many discussed a WOF as unnecessary based on Healthy Homes already having addressed all potential issues. This is despite almost all participants having previously raised issues with Healthy Homes, including sealing homes shut and creating mould issues, compliance checks being conducted only once, all homes still not being compliant, and that despite this legislation houses in any condition could still be reliably rented out in A-NZ. In the same discussion, one participant stated he had seen Healthy Homes complaint rentals which were 'tips', and then went on to

say that he was unsure what purpose a WOF would serve, as Healthy Homes had already covered the issues. Similarly, another participant discussed that if Healthy Homes checks, and regular inspections, were completed then a WOF would not be needed. In this example, the PM shows no regard for the fact that there are poor PMCs/PMs, who do not perform their duties appropriately, despite this fact being discussed by all participants. Even if Healthy Homes checks, and inspections, did remove all potential health issues from homes, they are not practised by all PMs.

In the arguments made by participants against the implementation of a housing WOF, it was evident how common concepts related to neoliberalism are in this space. One participant discussed a potential WOF as representing government overreach, which can be seen as an example of neoliberalism's desire to reduce the role of the state in hindering the free market (Springer, 2016). This same participant reduced those advocating for a WOF program to Healthy Homes assessors attempting to implement a money-making scheme. This reflects the neoliberal idea that government intervention should be minimised, as state actors can be corrupted and biased (Harvey, 2020). Multiple participants discussed the WOF as unnecessary, due to tenants having a responsibility to raise issues themselves. This reflects neoliberalism's tenet of personal responsibility (Springer, 2016). Finally, the 'bad apple' trope (or rather, PMs who are 'cowboys') was often used to argue that capitalism and neoliberalism were not the issue, rather the government could solve issues were it not for these outliers, who do not represent the wider group, which is typical with this trope (Dirke, 2021). Participants regularly discussed the industry as functioning well, externalising any negative elements as due to these 'cowboys'.

Related to these ideas, some participants suggested that a WOF was not a viable answer as there would always be those who broke the law. Adding to this, the 'bad apple' trope served to shift the focus towards the domain of morals and personal integrity, as a means of removing focus from the wider industry (Dirke, 2021). Having framed landlords as moral through 'the mom and pop' trope, and 'cowboys' as both other and inevitable through the 'bad apple' trope, participants were able to argue that all legislative changes would achieve is to harm landlords. Issues with the PRM are not denied, rather they are externalised, and potential government intervention vilified. Thus, the issues within the PRM are explained away and government intervention is framed as a damaging intrusion into the free market. This can be seen as an expression of the neoliberal belief that wellbeing is best

achieved through free market forces (Harvey, 2020). Such reliance on neoliberal interpretations presents a unique challenge for the industry. Where free market practices are prioritised, those making money will continue to be framed as moral, while those who require support will continue to be seen as failed.

### **Necessary property management legislation**

The proposed PM legislation was openly championed by three participants, while all participants showed some level of support for it. Despite externalising the issue of 'cowboys' within the industry, participants regularly described the industry as rife with bad actors. Some believed that a majority of PMs do not care about their work, or their tenants. Others described property management as a 'cowboy industry' (suggesting the issue is more than something small, to be considered other to the industry proper). While others described real estate companies as treating property management as a side job to which they paid little attention, and from which they sought to extract maximum profits. Due to such factors, multiple participants actively desired the implementation of the proposed legislation. They described this as the professionalisation of the industry, through the creation of a licensing system.

Despite this general support, participants did outline several perceived issues with the proposed legislation. Landlords not being included in the legislation was described by one participant as a fundamental flaw. This is not unreasonable, as 59% of rentals are managed by their landlords (*Landlords Pulse, 2021*), meaning over half of rentals will miss out on these important new regulations. Further, many of Renters United's critiques regarding the proposed legislation centred on the lack of rules for landlords. A participant suggested that the legislation's intention to use current real estate bodies to manage the disciplinary process represented another major flaw. Using the REA was seen as using an already established system out of convenience, rather than building something specifically for the property management industry. Finally, another participant, who had been through the real estate licensing process, expressed that in her experience this program did not remove the onus on personal ethics. Despite their increased training, she felt real estate agents more often than not did not follow the law. These examples demonstrate that while there is an agreed requirement for some kind of PM licensing, there is still considerable debate on how to implement such legislation in a way which would actually achieve its aims of making PMs accountable.

### **The Tribunal, framed as harmful**

The RTA and the Tenancy Tribunal were discussed by participants in almost universally negative terms. Participants described the RTA as something to avoid, often coming to individual arrangements with tenants instead. When they were required to attend the Tribunal, participants explained they were always on the side of the landlord. Once there, as one participant explained, everyone has had enough and they usually want the tenant gone. These descriptions demonstrate the ways in which participants commonly did not discuss the implications of the power dynamics involved when discussing issues with the Tribunal. For example, tenants are known to actively avoid the Tribunal due to a lack of knowledge of its systems and a fear of reprisals (Joynt, 2017). This means that making private arrangements with tenants favours the PM, as they have experience at the Tribunal and are in a position of power over the tenant. Additionally, at this stage, any tenant fears about a lack of knowledge and potential reprisals are well founded, as their PMs likely do want them removed. This lack of regard, or understanding, of the power dynamics related to the Tribunal was a central theme in discussions with participants.

Where power dynamics were discussed, it was almost exclusively in relation to issues faced by PMs and landlords. One participant described power as having swung strongly in the favour of tenants. He argued this was represented by the relatively new laws against no reason evictions from tenancies, and the perceived ability tenants have to fight their landlords legally regarding such matters. This framing ignores the fact that security of tenancy is a basic human right, outlined by the United Nations Declaration of Human Rights (1948), rather than something which grants power. It also ignores that for tenants this ability to fight means fighting against the person who controls their home, which tenants are known to avoid due to fear of reprisals (Joynt, 2017; Reid, 2017). Similarly, another participant argued that all tenants who lose at the Tribunal should have their records published. Despite acknowledging no landlord or PM would accept such tenants in the future, this participant did not engage with the idea that this would effectively remove such tenants from the PRM. This would also provide another barrier to using the Tribunal, since if a tenant failed to win a case there, they could effectively ruin their ability to access housing in the future

Several participants framed the Tribunal as harming tenants, as it made PMs fear bad tenants and therefore avoid them. This is a further expression of the 'unintended consequences' trope, used to frame any tenancy legislation as negative for all parties. However, this trope was countered by other aspects of the interviews. Participants discussed repeatedly that due to the numbers of prospective tenants at each viewing, and tenant desperation, they were always able to cherry pick the best tenants. Further, participants described their power to restrict access to decent housing for populations against which they held negative beliefs, because of this desperation for housing. These ideas demonstrate that it is not bad tenants making PMs act in this manner, rather it is the current market dynamics and their own choices. Without directly mentioning power, participants explained that decent housing is sparse and expensive, empowering those who have control over the provision of housing. These contradictions demonstrate how sense making practices by participants were used to frame issues in the PRM as caused by tenants and legislation, rather than power dynamics and a lack of effective legislation.

Another common argument regarding the Tribunal empowering tenants was that adjudicators were biased. Participants described them as 'activist biased adjudicators'. This appears to be a further reflection of PMs feeling landlords are treated as immoral due to being perceived as 'rich-pricks'. Participants characterised these adjudicators as unfair and therefore as another reason to avoid the Tribunal. This was also cited as a rationale for avoiding working with tenants who looked into their rights or who occupied lower quality housing. While the government does not have a page detailing overall Tribunal outcomes, making it difficult to discern the legitimacy of the biased adjudicator claims, other factors suggest the participants may again be discounting the power dynamics involved. While these participants indirectly characterised adjudicator bias as disempowering them, landlords are known to initiate proceedings at the Tribunal far more often than tenants (Tenancy Services, 2024). Additionally, one participant explained that when he did attend the Tribunal he had succeeded every time he had not made a technical error with the application. These factors suggest that landlords and PMs still experience significant power at the Tribunal, however participants almost entirely focused on issues they and landlords faced there, demonstrating again their position as an agent of the landlord. This positionality appears to have informed a central part of their views on

legislation, and the sense making used to support these views, and maintain the profitable status quo.

## **4.5 Conclusion**

### **Solutions**

Based on the findings of this study, and the related academic material, the property management industry is having a significant negative impact on people's health. Due to the profit motives and lack of legislation to protect tenants, this is likely to continue without active efforts to change it. While a level of the issues tenants and PMs face are related to factors outside their industry, such as housing prices, there are meaningful changes that could be made within the industry to improve the health of renters and PMs alike. Licensing for PMs, in some form, is needed to create a barrier to entry into the profession, with the aim of reducing PMCs ability to accept high staff turnover. This would serve to empower PMs, and to some extent, tenants, as well as shifting expressions of power towards becoming more visible. In addition to this, the licensing of private landlords and/or taking on some of the suggestions around landlords recommended by stakeholder groups, such as Renters United, should also be considered.

The property management industry may also benefit from a cultural shift, away from the commonly espoused neoliberal concepts, and towards an understanding of the social responsibility inherent in the provision of housing. Even for private companies, the connection between housing, health, power dynamics and human rights cannot be ignored. It is not clear from the results how this could be done, however this need should be something which continues to be investigated and considered. It is not impossible that training regarding PMs' place in the provision of decent housing could be usefully included as part of the licensing process.

Most centrally, further consideration must be given to the ways in which the requirement for tenants to self-report issues could be avoided. This study, and many others, have demonstrated that this aspect of tenancy legislation is a central flaw which foundationally undermines any tenancy legislation built around it. It is beyond the purview of this study to suggest that the answer to this issue is the implementation of a housing WOF. However, it is clear that a solution is required and it is heartening to see government agencies beginning to discuss this. Based on participant responses in this study, however, there may be some resistance to such legislative changes from within the property management industry.

### **Future and limitations**

In completing this research, I found only two studies from A-NZ which directly engaged PMs as participants. Due to the limited amount of research regarding PMs to this point, this study was designed to be largely exploratory. Future studies may however be able to utilise this growing body of knowledge, from studies such as my own and the two others described above, to form more targeted research questions.

If the proposed PM legislation (or similar legislation) does become law, future studies may benefit from exploring its impacts. This could be done through conducting a study designed to gather data on similar topics and metrics as those described in previous studies, such as my own, and then comparing the new findings to those related studies. Changes could be assessed across a range of issues, for example, examining changes in PMC practices regarding the acceptance of high staff burnout and turnover, as a means of maximising profits, would be useful. This would give an indication of the legislation's efficacy, in terms of protecting the health and wellbeing of PMs, and through them, the health and wellbeing of tenants.

A meaningful limitation of this study, and something which could be improved upon in future studies, was the lack of any participants who identified as Māori, Pasifika, or Indian. This study described them as uniquely impacted by issues within the PRM, therefore the perspectives of PMs who identify as belonging to those ethnic groups may yield novel information. Including such groups would also be ethically meaningful, as it would give them a voice regarding an issue which can negatively impact their health and communities.

To my mind, the most significant limitation of this study is that its focus on issues within the industry may reduce PMs' desire to engage. Future research may benefit from the use of a more strengths-based approach, highlighting the ways in which positive behaviours from PMs can support housing related health. This would serve to position PMs as allies, rather than potentially alienating them through negative framings of themselves and their industry. While efforts were made during the creation of this study to avoid villainising PMs, as described in the Ethics section above, their capacity to support positive health generation was under explored.

## References

- Auckland Council. (2021). *The Auckland plan 2050* (Report No. 2).  
<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/auckland-plan/Pages/default.aspx>
- Auckland Council. (2019). *2018 census results: The Southern initiative*.  
<https://censusauckland.co.nz/files/Southern%20Initiative%202018%20Census%20info%20sheet.pdf>
- Baker, G, M., McDonald, A., Zhang, J., & Howden-Chapman, P. (2013). *Infectious diseases attributable to household crowding in New Zealand: A systematic review and burden of disease estimate*. Housing and health research programme, University of Otago, Wellington.  
<http://assets.asthmafoundation.org.nz.s3.amazonaws.com/documents/Infectious-disease-attributable-to-household-crowding-in-NZ.pdf>
- Barfoot and Thompson. (2015). *Auckland property prices over the past decade*.  
<https://www.barfoot.co.nz/market-reports/2015/july/price-trend-for-auckland-property>
- Barnard, L. T., & Zhang, J. (2018). *The impact of respiratory disease in New Zealand: 2018 update*. Asthma and Respiratory Foundation New Zealand.  
[https://www.asthmafoundation.org.nz/assets/images/NZ-Impact-Report-2018\\_FINAL.pdf](https://www.asthmafoundation.org.nz/assets/images/NZ-Impact-Report-2018_FINAL.pdf)
- Bate, B. (2020). Rental security and the property manager in a tenant's search for a private rental property. *Housing studies*, 35(4), 589-611.  
<https://doi.org/10.1080/02673037.2019.1621271>
- Bauman, Z. (2004). *Wasted lives: Modernity and its outcasts*.  
[https://books.google.co.nz/books?hl=en&lr=&id=2nCUUfnA8FoC&oi=fnd&pg=PT4&dq=Bauman%E2%80%99s+idea+of+human+waste&ots=TB7fNzPGed&sig=YoBM5pnCtp4\\_mrFGkBhBTXedCEY&redir\\_esc=y#v=onepage&q=Bauman%E2%80%99s%20idea%20of%20human%20waste&f=false](https://books.google.co.nz/books?hl=en&lr=&id=2nCUUfnA8FoC&oi=fnd&pg=PT4&dq=Bauman%E2%80%99s+idea+of+human+waste&ots=TB7fNzPGed&sig=YoBM5pnCtp4_mrFGkBhBTXedCEY&redir_esc=y#v=onepage&q=Bauman%E2%80%99s%20idea%20of%20human%20waste&f=false)
- Bennett, J., Howden-Chapman, P., Chishold, E., Keall, M., & Baker, M. G. (2016). Towards an agreed quality standard for rental housing: Field testing of a New Zealand housing WOF tool. *Australian and New Zealand Journal of Public Health*, 40(5), 405-411. <https://doi.org/10.1111/1753-6405.12519>

- Berger, R. (2015). Now I see it, now I don't: Researcher's position and reflexivity in qualitative research. *Qualitative Research*, 15(2), 219-234.
- Brons, J. (2015). Othering, an analysis. *Transience*, 6(1).  
<https://philpapers.org/archive/BROOAA-4.pdf>
- Brooks, S. K., Patel, S. S., Weston, D., & Green berg, N. (2023). Psychological effects of mould and damp in the home: scoping review. *Housing studies*.  
<https://doi.org/10.1080/02673037.2023.2286360>
- Brown, K., Dunlop, A., Leahy, H., Brereton, K., & Angland, K. (2023). *Energy hardship: The challenges and a way forward*. Energy Hardship expert panel report to the minister. <https://www.mbie.govt.nz/building-and-energy/energy-and-natural-resources/energy-hardship/energy-hardship-expert-panel-and-reference-group/>
- Building Act 2004.  
<https://legislation.govt.nz/act/public/2004/0072/latest/DLM306044.html>
- Byrne, M. & McArdleb, R. (2020). Secure occupancy, power and the landlord-tenant relation: A qualitative exploration of the Irish private rental sector. *Housing Studies*. <https://doi.org/10.1080/02673037.2020.1803801>
- Careers New Zealand. (2023). *Property manager*.  
<https://www.careers.govt.nz/jobs-database/finance-and-property/property-services/property-manager/>
- Carvalho, P. A., Baker, B., & Farquharson. (2022). *Housing as an investment asset in New Zealand*. Reserve bank of New Zealand. <https://www.rbnz.govt.nz/-/media/fd9fa649c29340d7b9f466ba41bf8d9e.ashx>
- Chisholm, E. (2016). *Housing is central to understanding what's happening in capitalism today*. One two three home.  
<https://onetwothreehome.org.nz/2016/12/15/housing-is-central-to-understanding-whats-happening-in-capitalism-today-an-interview-with-brett-christophers/>
- Chisholm, E., Howden-Chapman, P., & Fougere, G. (2020). Tenants' responses to substandard housing: Hidden and invisible power and the failure of rental housing regulation. *Housing, Theory & Society*, 37(2), 139-161.
- Consumer NZ. (2011). *Property managers: The property management industry remains unregulated*.  
<https://www.consumer.org.nz/articles/propertymanagers#:~:text=It's%20estim>

[ated%20billions%20of%20dollars,look%20after%20their%20rental%20properties.](#)

Consumer NZ. (2023). *The rise and concerns of property managers*.

<https://www.consumer.org.nz/articles/the-rise-and-concerns-of-property-managers>

Clark, I.K.H., Chun, S., O'sullivan, K. C., & Pierse, N. (2022). Energy poverty among tertiary students in Aotearoa New Zealand. *Energies*, 15(1).

<https://doi.org/10.3390/en15010076>

Cooper, J. (2007). *Cognitive dissonance: fifty years of a classic theory*. Sage publications Ltd. <https://doi.org/10.4135/9781446214282>.

Crockers. (2021). *Good property manager skills and responsibilities*.

<https://www.crockers.co.nz/property-management-auckland/property-management-news/good-property-manager-skills-and-responsibilities/>

Dale, C. (2017). *A New Zealand where all children can flourish*. Child poverty action group.

[https://static1.squarespace.com/static/60189fe639b6d67b861cf5c4/t/613ff631d649f75c3a9e3222/1631581748627/171026+CPAG+2017+election+briefing+paper+V8\\_WEB.pdf](https://static1.squarespace.com/static/60189fe639b6d67b861cf5c4/t/613ff631d649f75c3a9e3222/1631581748627/171026+CPAG+2017+election+briefing+paper+V8_WEB.pdf)

Demographia international housing affordability. (2022). The urban reform institute and the frontier centre for public policy. <http://www.demographia.com/dhi.pdf>

Desmarais, F. (2023). Swarbrick's new bill aims to 'weed out' Healthy Homes 'cowboys'. *One News*. <https://www.1news.co.nz/2023/07/26/swarbricks-new-bill-aims-to-weed-out-healthy-homes-cowboys/>

Dirke, S. (2021). A few bad apples or the logic of capitalism. *German politics and society; New York*, 39(4), 8-24.

<https://doi.org/10.3167/gps.2021.390402https://www.proquest.com/docview/2615608737?sourcetype=Scholarly%20Journals>

Eaqub, S. & Eaqub, S. (2015). *Generation rent: Rethinking New Zealand's priorities*. Bridget Williams Books.

Fernandez, M. (2019). *An exploration of affordable housing policies in Auckland*.

Auckland council. <https://knowledgeauckland.org.nz/media/1098/dp2019-005-affordable-housing-policies-in-auckland.pdf>

Friesen, W. (2009). The demographic transformation of Inner City Auckland. *New*

*Zealand population review*, 35, 55-77.

[https://d1wqtxts1xzle7.cloudfront.net/9911872/vol-35\\_final-libre.pdf?1391752887=&response-content-disposition=inline%3B+filename%3DDifferential Trends in the Compression o.pdf&Expires=1705198092&Signature=XSHQPWtlbQBIFkSg8LyMyDFanyrZ9RcLzHMgEbgXB-eIVsLMfYHpCZkM3EVWK8vsznCnuF1ivfKUifz4fZ2x2c93qgVvJJfMAsGWCitunBqOh0~kqrXfjAuYI5fnZp1JWHWQivChAsT9cLw-2qAU2DvnHivFwmyQ-4B72zkAuJp17R0WVR0-NBO-OwgS848847v-V~K~39x-SzSerth8OIAnoKdhtjY~241Wb13vS7gUbg3gU8YT1wDfzLFRbgHgpBr24F8oJbhCxY2lp9hiySPA5XgICWv2Ouj6Xyykl6-g~oCch3kGGGoDw3PJ1tuftJp5iRyTNREqu1fh9HFtpQ\\_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA#page=59](https://d1wqtxts1xzle7.cloudfront.net/9911872/vol-35_final-libre.pdf?1391752887=&response-content-disposition=inline%3B+filename%3DDifferential+Trends+in+the+Compression+o.pdf&Expires=1705198092&Signature=XSHQPWtlbQBIFkSg8LyMyDFanyrZ9RcLzHMgEbgXB-eIVsLMfYHpCZkM3EVWK8vsznCnuF1ivfKUifz4fZ2x2c93qgVvJJfMAsGWCitunBqOh0~kqrXfjAuYI5fnZp1JWHWQivChAsT9cLw-2qAU2DvnHivFwmyQ-4B72zkAuJp17R0WVR0-NBO-OwgS848847v-V~K~39x-SzSerth8OIAnoKdhtjY~241Wb13vS7gUbg3gU8YT1wDfzLFRbgHgpBr24F8oJbhCxY2lp9hiySPA5XgICWv2Ouj6Xyykl6-g~oCch3kGGGoDw3PJ1tuftJp5iRyTNREqu1fh9HFtpQ_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA#page=59)

Galtung, J. (1969). Violence, peace, and peace research. *Journal of peace research*, 6(3), 167-191. <https://journals-sagepub-com.ezproxy.massey.ac.nz/doi/epdf/10.1177/00223433690060030>

Garnham, L., Rolfe, S., Anderson, I., Seaman, P., Godwin, J., & Donaldson, C. (2022). Intervening in the cycle of poverty, poor housing and poor health: the role of housing providers in enhancing tenants' mental wellbeing. *Journal of housing and the built environment*, 37(1), 1-21. <https://doi.org/10.1007/s10901-021-09852-x>

Harvey, D. (2020). A brief history of neoliberalism. *Oxford University Press*.

Hochschild, A. R. (2012). *The managed heart: Commercialization of human feeling*. University of California Press.

Hulse, K., & Milligan, V. (2014). Secure occupancy: A new framework for analysing security in rental housing. *Housing studies*, 29(5), 638-656. <https://doi.org/10.1080/02673037.2013.873116>

Human rights commission. (n.d.) *Right to a decent home*.

<https://tikatangata.org.nz/human-rights-in-aotearoa/right-to-housing>

Ingham, T., Keall, M., Jones, B., Aldridge, D, R, T., Dowell, A, C., Davies, C., Crane, J., Draper, J, B., Bailey, L, O., Viggers, H., Stanley, T, V., Leadbitter, P., Latimer, M., & Howden-Chapman, P. (2019). Damp mouldy housing and early childhood hospital admissions for acute respiratory infection: a case control study. *BMJ Journals*, 74, 849-857. <https://thorax.bmj.com/content/74/9/849>

- Joynt, J. (2017). *Renting in Auckland: Tenant, landlord and property manager perspectives*. Auckland council.
- Lerbs, O. (2014). Germany's rental property sector: A cornerstone of housing market resilience? *Housing finance international*, 38-44.
- Mare, P. (2023, September 15). Drop the talk about 'mum and dad' landlords. It lets property investors off the hook. *Canberra Times*.
- Meredith, P. (2005). *Story: Urban Māori*. Te Ara. <https://teara.govt.nz/en/urban-maori/page-1>
- Ministry of Housing and Urban Development. (2024). *Healthy homes standards*. <https://www.hud.govt.nz/our-work/healthy-homes-standards/#:~:text=The%20Residential%20Tenancies%20Healthy%20Home%20sinsulation>
- Ministry of housing and development. (2021). *Landlords pulse survey (Wave 2)* <https://www.hud.govt.nz/assets/Uploads/Documents/Pulse-survey-reports-published-March-2023/Landlords-Pulse-Survey-Topline-Report-Wave-2-Oct-2021.pdf>
- Ministry of Housing and Urban Development. (2024). Regulating residential property Managers. <https://www.hud.govt.nz/our-work/regulating-residential-property-managers/>
- Mitchell, J. (2003). Immigration and national identity in 1970s New Zealand. *Otago University*. <https://ourarchive.otago.ac.nz/bitstream/handle/10523/371/MitchellJames2003PhD.pdf?sequence=5>
- Nine to Noon. (2022). *Privacy commission to crack down on landlords collecting intrusive information*. Radio New Zealand. <https://www.rnz.co.nz/news/business/460173/privacy-commission-to-crack-down-on-landlords-collecting-intrusive-information>
- RayWhite. (2024). *The 360 process*. <https://360propertymanagement.co.nz/the-360-process/>
- Reid, A. Residential Property Management in Auckland. (2017). Auckland Council. <https://knowledgeauckland.org.nz/media/1152/tr2017-018-residential-property-management-in-auckland.pdf>
- REINZ Residential Property Management. (2022). The Real Estate Institute of New Zealand (REINZ). <https://www.reinz.co.nz/residential-property-management>

- Renters United. (2024). *Property manager regulation*.  
<https://rentersunited.org.nz/property-manager-regulation/>
- Residential Tenancies Act. (1986).  
<https://www.legislation.govt.nz/act/public/1986/0120/latest/DLM94278.html>
- Reynolds, D., Miroa, M., & Campbell, H. (2020). Food and vulnerability in Aotearoa/New Zealand: A review and theoretical reframing of food insecurity, income and neoliberalism. *New Zealand sociology*, 35(1), 123-152.  
<https://doi.org/10.3316/informit.219515053019306>
- Serjeant, E., Coleman, T., & Kearns, R. (2022). How tenants in New Zealand respond to winter weather indoors: A qualitative investigation. *Health and place*, 75. <https://doi.org/10.1016/j.healthplace.2022.102810>
- Shenton, A. K. (2004). Strategies for ensuring trustworthiness in qualitative research projects. *Education for information*, 22(2), 63-75
- Singh, A., Daniel, L., Baker., & Bentley, R. (2019) Housing disadvantage and poor mental health: A systematic review. *American journal of preventive medicine*, 57(2), 262-272. <https://doi.org/10.1016/j.amepre.2019.03.018>
- Smith, J. A., & Shinebourne, P. (2012). Interpretative phenomenological analysis. In H. Cooper, P. M. Camic, D. L. Long, A. T. Panter, D. Rindskopf, & K. J. Sher (Eds.), *APA handbook of research methods in psychology, Vol. 2. Research designs: Quantitative, qualitative, neuropsychological, and biological* (pp. 73–82). American Psychological Association.  
<https://psycnet.apa.org/record/2011-23864-005>
- Springer, S., Birch, K., & MacLeavy, J. (2016). *The handbook of neoliberalism*. Routledge international handbooks.
- Statistics New Zealand. (2022). *Child poverty statistics: Year ended June 2021*.  
<https://www.stats.govt.nz/information-releases/child-poverty-statistics-year-ended-june-2021>
- Statistics New Zealand. (2020). *Homeownership rate lowest in almost 70 years*.  
<https://www.stats.govt.nz/news/homeownership-rate-lowest-in-almost-70-years#:~:text=The%20pilot%20housing%20survey%20showed,owned%20and%20non%2Downed%20homes.>
- Statistics New Zealand. (2023). *Housing affordability more challenging for renters than home owners*.

<https://www.stats.govt.nz/news/housing-affordability-more-challenging-for-renters-than-homeowners/#:~:text=In%20the%20year%20ended%20June,released%20by%20Stats%20NZ%20today.>

Statistics New Zealand. (2021). *Housing in Aotearoa: 2020*.

<https://www.stats.govt.nz/assets/Uploads/Reports/Housing-in-Aotearoa-2020/Download-data/housing-in-aotearoa-2020.pdf>

Statistics New Zealand. (2019). *One in five homes damp*.

<https://www.stats.govt.nz/news/one-in-five-homes-damp>

Statistics New Zealand. (2015). *Perceptions of Housing Quality in 2014/15*.

Wellington.

[http://archive.stats.govt.nz/browse\\_for\\_stats/people\\_and\\_communities/housing/perceptions-housing-quality-2014-15.aspx.](http://archive.stats.govt.nz/browse_for_stats/people_and_communities/housing/perceptions-housing-quality-2014-15.aspx)

Statistics New Zealand. (n.d.). *2018 census place summaries - Manukau Central*.

<https://www.stats.govt.nz/tools/2018-census-place-summaries/manukau-central#ethnicity-culture-and-identity>

Swarbrick, C. (2023). *Green party launches rental WOF bill*.

[https://www.greens.org.nz/green\\_party\\_launches\\_rental\\_wof\\_bill](https://www.greens.org.nz/green_party_launches_rental_wof_bill)

Tenancy Services. (2024). Breaches of the residential tenancies Act.

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

Tenancy Services. (2024). *Data and statistics* (Quarter 4 1 October to 31 December 2023).

<https://www.tenancy.govt.nz/about-tenancy-services/data-and-statistics/>

Tenancy Services.(2024). *Mould and dampness*.

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

Tenancy Services. (2022). *Selecting a property manager*.

[https://www.tenancy.govt.nz/assets/\\_generated\\_pdfs/selecting-a-property-manager-68-en\\_NZ.pdf](https://www.tenancy.govt.nz/assets/_generated_pdfs/selecting-a-property-manager-68-en_NZ.pdf)

Tenancy services. (2024). *Ventilation standard*.

<https://www.tenancy.govt.nz/healthy-homes/ventilation-standard/>

'The dawn raids: Causes, impacts and legacy'. (2023). New Zealand history Nga

Korero a ipurangi o Aotearoa. <https://nzhistory.govt.nz/culture/dawn-raids>

Tracy, S. J. (2013). *Qualitative research methods: collecting evidence, crafting analysis, communicating impact*. John Wiley & Sons, Incorporated.

United Nations. (2024). *The human right to adequate housing*.

<https://www.ohchr.org/en/special-procedures/sr-housing/human-right-adequate-housing>

Veal, S. (n.d.) The dawn raids. *National library of New Zealand*.

[https://www.google.co.nz/search?q=the+dawn+raids+were&sca\\_esv=600274493&sxsrf=ACQVn0\\_eM7QiwTBZLLmQgU3-mkn1qWQKIQ%3A1705871631883&source=hp&ei=D4mtZcDmM\\_O6vr0PoJGA6A8&iflsig=ANes7DEAAAAAZa2XHwoMfPevCQL9IA7TftKx1ISBfsVC&ved=0ahUKEwiAqpiFs--DAxVzna8BHaAIAP0Q4dUDCA8&uact=5&oq=the+dawn+raids+were&gs\\_lp=Egdnd3Mtd2l6lhN0aGUgZGF3biByYWlkcyB3ZXJlMgYQABgWGB4yBhAAGBYYHjIGEAAYFhgeMgYQABgWGB4yBhAAGBYHjIGEAAYFhgeMgYQABgWGB4yBhAAGBYHjIGEAAYFhgeMgYQABgWGB5IkRBQAFjrDnAAeACQAQCYAf8BoAHME6oBBTAuOS40uAEDyAEA-AEBwglKECMYgAQYigUYJ8ICChAAGIAEGBQYhwLCAgsQABiABBixAxiDAcICCBAAGIAEGLEDwgIIEC4YgAQYsQPCAgsQLhiABBixAxiDAcICDhAuGIAEGLEDGIMBGNQCwgIFEAAYgATCAgUQLhiABMICERAUgIAEGMcBGK8BGJgFGJ0FwgILEC4YgAQYxwEYrwHCAggQABgWGB4YCg&sclient=gws-wiz](https://www.google.co.nz/search?q=the+dawn+raids+were&sca_esv=600274493&sxsrf=ACQVn0_eM7QiwTBZLLmQgU3-mkn1qWQKIQ%3A1705871631883&source=hp&ei=D4mtZcDmM_O6vr0PoJGA6A8&iflsig=ANes7DEAAAAAZa2XHwoMfPevCQL9IA7TftKx1ISBfsVC&ved=0ahUKEwiAqpiFs--DAxVzna8BHaAIAP0Q4dUDCA8&uact=5&oq=the+dawn+raids+were&gs_lp=Egdnd3Mtd2l6lhN0aGUgZGF3biByYWlkcyB3ZXJlMgYQABgWGB4yBhAAGBYYHjIGEAAYFhgeMgYQABgWGB4yBhAAGBYHjIGEAAYFhgeMgYQABgWGB4yBhAAGBYHjIGEAAYFhgeMgYQABgWGB5IkRBQAFjrDnAAeACQAQCYAf8BoAHME6oBBTAuOS40uAEDyAEA-AEBwglKECMYgAQYigUYJ8ICChAAGIAEGBQYhwLCAgsQABiABBixAxiDAcICCBAAGIAEGLEDwgIIEC4YgAQYsQPCAgsQLhiABBixAxiDAcICDhAuGIAEGLEDGIMBGNQCwgIFEAAYgATCAgUQLhiABMICERAUgIAEGMcBGK8BGJgFGJ0FwgILEC4YgAQYxwEYrwHCAggQABgWGB4YCg&sclient=gws-wiz)

World Health Organization. (2023). *Constitution*.

<https://www.who.int/about/governance/constitution>

World Health Organization. (2023). *Human rights*.

<https://www.who.int/news-room/fact-sheets/detail/human-rights-and-health>

## Appendices

### Appendix A

#### Information sheet

#### Study Information Sheet

He aha te kaupapa o tēnei rangahau? - What is this research about?

#### **Engaging the voices of residential property managers in understanding and improving issues in the Auckland rental market.**

#### **Who is conducting this research?**

Kia Ora, my name is Niall Heeney.

I am conducting this research project in completion of my Master's degree in Health Science Psychology through Massey University. I also work as a counsellor and counselling supervisor.

This research is supervised by Dr Clifford van Ommen and Dr Pita King.

#### **What is the research about?**

Renting in Auckland, as in the rest of the country, is typified by a number of issues, including availability and affordability. Property managers are in a unique and challenging position within the private rental market since they, amongst other things, have to mediate the demands of both landlords and tenants. This project aims to deepen our understanding of the complex rental situation in Auckland, through

interviewing property managers and exploring their understandings of being a property manager and managing the associated complexities. This will include a focus on the possible solutions or improvements which property managers view as most viable.

Anyone who has worked as a residential property manager for at least one year and is currently working as a residential property manager in Auckland is invited to participate.

### **What will participants be asked to do?**

I aim to interview property managers about their experiences and understandings around being a property manager and the role of property managers in the current rental system.

If you are interested in participating, please contact me at [Propertymanagerstudy@gmail.com](mailto:Propertymanagerstudy@gmail.com). We will arrange a convenient time and place to meet for an interview. Interviews are expected to take around 60 minutes.

Participants will be provided with a \$40 grocery voucher in gratitude for their time.

### **Interviewer responsibilities and confidentiality**

Prior to participating, you will be provided with a consent form, outlining how your information may be used. You will be given time and space to discuss any issues or questions you may have before the interview.

All participant names and any information which could identify you will be changed or removed prior to publication of the study. All conversation transcripts and identifying information will only be accessible to the supervisors Dr Clifford van Ommen, Dr Pita King, and to myself.

All interview transcripts will be kept in password protected folder on my computer. These will be deleted 5 years after the completion of the study. All audio recordings will be deleted once transcription has been finalised.

## **Your rights as a participant**

You have no obligation to accept this invitation. Should you decide to participate, you have the right to:

- Decline to answer any particular question.
- Pause or stop the interview at any time.
- Ask questions about the study at any time.
- Withdraw from the study, without giving a reason, up to 2 weeks after your interview.
- Be provided with a consent form.
- Be provided with a copy of your interview transcript, to confirm it is accurate.
- Be provided with a summary of the findings.

## **Project contacts**

You may contact myself, my supervisors, or the research ethics director at any point if you have questions, concerns, or feedback.

### **Researcher:**

Niall Heeney, Master of Health Science Psychology student, Massey University.

Propertymanagerstudy@gmail.com

### **Research Supervisors:**

Dr Clifford van Ommen, School of Psychology, Massey University.

C.VanOmmen@Massey.ac.nz

Dr Pita King, School of Psychology, Massey University.

P.R.W.King@Massey.ac.nz

**Research ethics:**

Craig Johnson, Director (Research Ethics), Massey University.

Humanethics@Massey.ac.nz

*“This project has been evaluated by peer review and judged to be low risk. Consequently, it has not been reviewed by one of the University's Human Ethics Committees. The researcher(s) named in this document are responsible for the ethical conduct of this research.”*

## Appendix B

### Consent form

#### Engaging the voices of residential property managers in understanding and improving issues in the Auckland rental market

#### PARTICIPANT CONSENT FORM - INDIVIDUAL

I have read, or have had read to me, and I understand the Information Sheet. I have had the details of the study explained to me, any questions I had have been answered to my satisfaction, and I understand that I may ask further questions at any time. I have been given sufficient time to consider whether to participate in this study and I understand participation is voluntary and that I may withdraw from the study at any time.

1. I agree to the interview being sound recorded.
2. I wish to have my transcription sent to me for review.
3. I agree to participate in this study under the conditions set out in the Information Sheet.

#### Declaration by Participant:

I \_\_\_\_\_ [print full name] hereby consent to take part in this study.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_