

Sample Methamphetamine Contamination Policy

Purpose

The purpose of this policy is to provide clear guidance for staff on managing the risk to Tenants, property, and [Organisation] from methamphetamine contamination.

Scope

This policy applies to all Tenants, the Tenancy Manager, staff, contractors, and anyone who visits or occupies [Organisation]'s properties.

It covers:

- What the safe levels of methamphetamine are within a property;
- Precautions that must be taken before a new tenancy agreement is signed;
- Testing for methamphetamine contamination;
- Actions to be taken should methamphetamine contamination be detected;
- Giving notice and termination of the tenancy;
- The decontamination process;
- Seeking reparations for decontamination costs through insurance the Tenancy Tribunal.

Definitions

Methamphetamine Contaminated – means exceeding the threshold amount set out in the Residential Tenancies Amendment (No.2) of 1.5 µg / 100cm² for a high-use area and 3.8 µg / 100cm² for low use areas resulting from consumption.

Policy Statement

[Organisation] is committed to finding the balance between sustaining the tenancies of Tenants and fulfilling the legal obligations of being a community housing landlord under the RTA.

[Organisation] will meet its obligations under the RTA and will not condone the presence or use of methamphetamine inside any of its properties. However, [Organisation] is committed to walking alongside people and sustaining tenancies if possible. In the event of methamphetamine contamination, [Organisation] has the option of reclaiming costs through the Tenancy Tribunal. Whether this will be utilised will be decided on a case by case basis by the [Organisation Manager].

It is widely agreed that there is less harm for people using drugs when they are housed, than when people are sleeping rough. [Organisation] has the option of rehousing Tenants into another [Organisation] property if their previous accommodation becomes methamphetamine contaminated. This will also be decided on a case by case basis.

This policy aims to outline how [Organisation] will manage this matter in a way that affords the Tenant dignity and respect around their substance misuse, whilst protecting [Organisation]'s property and retaining its condition.

Methamphetamine contamination will be dealt with in accordance with the Residential Tenancies Act 1986 and Standards New Zealand NZS 8510:2017: Testing and decontamination of methamphetamine-contaminated properties.

Procedure and Guidance

Testing helps us to indiscriminately monitor levels within the home which may also support the Tenant to manage behaviours of friends and whanau more effectively. It will allow us to identify any issues early on and therefore give greater opportunity to seek a satisfactory resolution.

It also gives an opportunity to have a discussion with the Tenant about how they use methamphetamine and what their options would be to try to minimise the likelihood of contamination to the property.

Before a Tenancy

- [Organisation] will carry out a baseline methamphetamine test before each Tenant moves in. This is necessary for the following reasons:
 - Under the Residential Tenancies ACT 1986 Section 45 (1) (a), a landlord is obligated to provide premises in a reasonable state of cleanliness;
 - Avoid posing any health risks due to contamination to the Tenant;
 - Being certain any contamination of the premises was not pre-existing makes it easier to have an open discussion with a Tenant about their drug use should contamination occur.
- [Organisation] will conduct assessments of all new Tenants. If they have a history of methamphetamine use, additional conditions will be added to the tenancy agreement allowing for regular testing;
- [Organisation] methamphetamine policy, any testing regime, and the costs and potential consequences should contamination occur will be communicated to the Tenant;

During the Tenancy

Tenant Screening and Inspection

- Regular methamphetamine swab tests will be carried out during the tenancy at the frequency deemed necessary.
- Tenancy managers will look out for signs that the Tenant is using methamphetamine, regardless of whether they have previously been assessed as high risk. These include:
 - Utensils such as glass pipes or an unusual number of lightbulbs;
 - Erratic behaviour or paranoia;
 - Reports from neighbours and other Tenants;
- All planned and on-suspicion testing will be carried out it will be between the hours of 8:00 am and 7:00 pm, with at least 2 days but no more than 14 days' notice given to the Tenant. Residential Tenancies Act Section 48 (2) (b).

Should Contamination be Detected

- If the handheld swab tests detect the presence of methamphetamine, the Tenant will be notified of the results within 7 days of them being received by [Organisation];
- A reputable testing agency will then be used to conduct more thorough testing;
- If the property tests positive for methamphetamine at levels below the 1.5 µg threshold for contamination:
 - [Organisation] will meet the Tenant to discuss their or their guests use of methamphetamine and what their options would be to minimise the likelihood of contamination.
- If the property tests positive for methamphetamine at levels above the 1.5 µg threshold for contamination:
 - The property will be treated as uninhabitable until decontamination work is carried out;

- A qualified provider of decontamination services independent from the organisation will be used to clean the residence;
- The Tenant will be transferred to temporary accommodation while this work is being carried out;
- If applicable, [Organisation] will contact the Ministry of Social Development to recover the costs of decontamination work.
- [Organisation] will meet with the Tenant to discuss the next steps. These will be decided on a case by case basis but can include:
 - Relocation to another [Organisation] property with conditions placed on the tenancy;
 - Eviction;
 - Action through the Tenancy Tribunal.

After a Tenancy

- [Organisation] will carry out a swab test at the conclusion of the Tenancy;
- A reputable testing agency will be contacted should this test come back positive and more thorough testing be carried out;
- Should methamphetamine contamination be detected, the property will be decontaminated and costs may be sought to be reclaimed from the Tenant through the Tenancy Tribunal. This will ultimately be decided by [Organisation Manager].

Relevant legislation/regulatory compliance

- Residential Tenancies Amendment Bill (No2)
- Standards New Zealand NZS 8510:2017: Testing and decontamination of methamphetamine-contaminated properties

Related Policies/Procedures

- New Tenancies policy
- Tenancy inspection policy
- Risk management policy
- Rent policy
- Health and safety policy
- End of tenancy policy
- Disposal of goods policy

Quality Control

Version	Last Reviewed	Reviewer	CHRA Aligned	BPG Aligned