

Tenancy Services

Healthy Homes Standards Draught Stopping



MINISTRY OF BUSINESS,
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More information

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Any unreasonable gaps or holes in walls, ceilings, windows, floors and doors that are not necessary and cause noticeable draughts must be blocked. This includes open fireplaces, unless the tenant has requested in writing that the open fireplace not be blocked and the landlord accepts this request.

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About this guide

A landlord who rents a property under the *Residential Tenancies Act 1986* will need to ensure their property meets the healthy homes standards. This requirement came into force on different dates, depending on the type of tenancy, from 1 July 2021.

All rental properties must now meet the healthy homes standards.

This guidance document provides advice for assessing whether a property is compliant with the draught stopping standard of the *Residential Tenancies (Healthy Homes Standards) Regulations 2019*.

This legislation allows landlords to carry out work themselves where a Licensed Building Practitioner (LBP), Licensed Electrical Worker (LEW) or Licensed Gas Worker (LGW) is not required. However, landlords must employ an LBP for restricted building, plumbing or drainage work, a LEW for prescribed electrical work or a LGW for restricted gasfitting work. Landlords are advised to employ a reputable professional where they have any doubts about achieving the required quality of work themselves, or where they are uncertain about whether exemptions apply.

Things to do

- › Safety First! Take safety precautions – wear safety equipment when necessary. Don't tamper with electrics – if you think you've damaged something or a wire comes loose, call a licensed electrician.
- › If your property is part of a unit title, consult your body corporate operational rules before beginning any work.
- › If you are renting out a heritage home or a home where heritage protection rules apply, contact your local authority in the first instance about any rules or restrictions.
- › Don't block gaps or holes that are intentional parts of a home.



Draught stopping

Draughts happen where there are gaps in the construction of your home, and where openings are left uncovered. Gaps and uncovered openings allow air into and out of the home, making it harder to keep warm.

To meet the healthy homes draught stopping standard you need to block any unreasonable gaps or holes that allow draughts into or out of your home.

Unreasonable gaps or holes cannot be temporarily remedied with draught stopping products by tenants and require the landlord to address the draught by fixing something to the home or remedying the gap long-term. For example, where an external door allows an unreasonable draught into the home, a landlord should install or fix a draught excluder to the door instead of using temporary measures such as draught stoppers.

Gaps and openings in internal doors or walls within the home will usually not cause air to enter the home from outside. Some openings in a home are intentional so you must take care when addressing draughts that you do not accidentally block intentional openings.

When determining if a gap or hole is unreasonable and therefore should be blocked, the following factors should be considered:

- › the size and location of the gap or hole
- › the extent of the draught that is allowed through the gap or hole
- › the extent of the total draught that occurs through the gaps or holes if there is more than one gap or hole at the premises
- › the impact of a draught through the gap or hole on heat loss from the property.

The age and condition of the premises should not be considered when determining if a gap or hole is unreasonable.



Determining if a draught is unreasonable

As a rule of thumb, gaps or holes with a width greater than 3mm in or around the walls, ceilings, windows, doors and floors that let air into or out of the home will usually require blocking to prevent unreasonable draughts. This means that if the edge of a New Zealand \$2 dollar coin can fit in the gap, then the gap needs to be sealed.



You can measure the size of the gap by seeing how many pages of a notepad, magazine or book you can fit into the gap. Then measure their thickness.

When determining the size of a gap or hole only measure the width that lets air into or out of the home. For example, tongue and groove flooring can have large gaps between boards on the surface but any actual gaps that go through the floor can be substantially smaller because of the tongue and groove connection blocking all or most of the gap.

Some gaps or holes are intentional and should not be blocked. These include:

- › trickle vents – some modern windows have small vents to let fresh air trickle in
- › key holes
- › built-in openings for the drainage of condensation from window and door joinery.
- › wall vents which let small amounts of fresh air into rooms
- › ventilation devices including extractor fans
- › gaps or holes needed for the safe operation of devices such as chimneys or flues for heating devices or certain recessed downlights
- › openings in power sockets that enable a device to be plugged in
- › vents or drainage openings in the outside cladding of external walls, roof, soffit/eaves or in the perimeter walls of a subfloor space.

Opening windows and doors with intentional gaps that are part of the construction do not require sealing. This includes gaps that are needed for windows or doors to open properly at different times of the year, for example, sliding parts of sash windows. To operate all year round there may be gaps that allow for the window or door or surrounding building features to change size because of humidity or temperature changes. However, unreasonable gaps that exceed what is needed for the window or door to work still need to be sealed. Similarly, gaps that are not part of the intentional construction need to be sealed.

There are some situations where a gap may be smaller than 3 mm but can still create an unreasonable draught. This can depend on a range of factors that may be intermittent, such as wind direction, wind speed and external temperature. This can also occur where lots of smaller gaps or holes when combined enable cross draughts that make a home harder to heat. These situations should be assessed on a case by case basis considering the individual features of the home.



You can check if a gap is causing a draught by feeling for cold air along the gap with the back of a wet hand.

Common causes of gaps larger than 3 mm

Walls, ceilings and floors

- › gaps at the junction of the wall and ceiling (often around scotia or cornices)
- › gaps at the junction of the wall and floor (often around skirting boards)
- › holes in walls or ceilings
- › holes or gaps in floorboards
- › unnecessary gaps around electrical and plumbing passages
- › decommissioned ventilation devices
- › gaps around roof space/loft hatches.

External doors and windows

- › poorly fitting windows or doors
- › excessive clearance between the bottom of the door and the floor
- › broken or loose hinges catches or latches that prevent the door or window closing tightly
- › broken or poorly fitted pet doors
- › broken or cracked windows or doors.

EECA's Gen Less website¹ includes tips for sealing common sources of draughts.



¹ genless.govt.nz/for-everyone/at-home/improve-energy-efficiency/insulate-your-home/blocking-draughts

Blocking an open fireplace

Open fireplaces are a source of airflow in and out of the home. To comply with the draught stopping standard, open fireplaces or their chimneys need to be blocked in a way that prevents draughts into and out of the home through the fireplace.

In a situation where a tenant does not want an open fireplace to be blocked, they can make a written request to the landlord. If the request is accepted, the landlord is not required to block the fireplace or chimney, but will need to make sure these are free from gaps or holes that allow draughts into or out of the home that are not necessary for safe and efficient operation. If this process is followed, both the tenant and the landlord should keep a copy of the written request and written agreement, and this may form part of the tenancy agreement.

The landlord may choose to block the fireplace temporarily or permanently to prevent a draught through the fireplace. Make sure the blockage is very obvious, so no-one tries to light a fire in a fireplace with a blocked chimney.

Ongoing maintenance

If something is installed or provided to meet any of the healthy homes standards, it must be maintained in good working order. If it cannot be kept in good working order, it must be replaced in a reasonable timeframe. It is recommended that landlords ask their tenants to inform them of any maintenance issues.

Any seals, sealant or blockages must be maintained to ensure they prevent any draughts coming in or out of the property. If they fail or break they should be replaced as early as possible.

As soon as the landlord is made aware of something that is not in good working order, the landlord must repair it or organise for it to be repaired within a reasonable timeframe. A reasonable timeframe for

replacement or repair will differ from situation to situation, depending on the availability of appropriate industry professionals, or replacement parts and components. It is always best to keep the tenant updated on the progress of any repairs and keep records of the repair process, for example, the dates professionals were contacted.

Exemptions

There are no specific exemptions to the draught stopping standard, and there are three general exemptions that apply to all the healthy homes standards. The following information provides an overview only of exemptions. For complete information about exemptions, see the **Tenancy Services website**².

The general exemptions are:

1. If the landlord intends to demolish or substantially rebuild the rental property and has applied for the relevant resource or building consent before the tenancy commences. This exemption will last for up to 12 months from the tenancy commencing with that work to begin within the grace period. It may end earlier in certain circumstances, for example if the consent lapses or is terminated, or the application for consent is refused. If requested, the landlord will need to provide evidence that they have applied for the relevant resource or building consent. More information about this exemption is available in regulation 31 of the Residential Tenancies (Healthy Homes Standards) Regulations 2019.³
2. If the tenant is the immediate former owner of the rental property and the tenancy started immediately after the landlord acquired the property from the tenant. In this situation, an exemption will apply for 12 months from the date the tenancy commences.
3. If a rental property is part of a building and the landlord does not own the entire building (for example, if a landlord owns an apartment). The landlord will be partially exempt from complying with parts of the standards if their ability to comply with the healthy homes standards is impeded because:
 - › they need to install or provide something in a part of the building where the landlord is not the sole owner, or
 - › they need access to a part of the building that they are not the sole owner.

Landlords must still take all reasonable steps to ensure the rental property or building complies with the healthy homes standards to the greatest extent reasonably practicable.

If one of these exemptions ceases to apply during the term of the tenancy (for example, the building consent expires), the landlord must comply with the healthy homes standards as soon as is reasonably practicable.

Where the exemption is because of a pending application for a resource or building consent and this is refused then the landlord will have to comply with the healthy homes standards, unless the landlord challenges the refusal. The exemption will be reinstated while the challenge is determined.

Definition of 'reasonably practicable'

It is not reasonably practicable to install something if a professional installer can't access the area without:

- › carrying out substantial building work, or
- › causing substantial damage to the property, or
- › creating greater risks to a person's health and safety than is normally acceptable, or
- › it is otherwise not reasonably practicable for a professional installer to carry out the work.

² tenancy.govt.nz/healthy-homes/exemptions-to-the-healthy-homes-standards

³ legislation.govt.nz/regulation/public/2019/0088/latest/LMS148303.html

Getting support

If you are unsure about any work that needs to be done, or how to do the work safely, it is strongly recommended you contact a professional, such as a licensed building practitioner. Alternatively, you may contact organisations for further guidance, clarification or advice.

EECA's **Gen Less**⁴ website includes tips for sealing common sources of draughts.

The following organisations may be helpful to find building practitioners:

- › Use the register to find a **licensed building practitioner**⁵ in your area.
- › Use the plumber, gasfitter and drainlayer **public register**⁶ to find a gasfitter in your area.
- › Use the **electrical workers register**⁷ to find an electrician.

A number of professionals can provide information or advice when installing heaters, woodburners or heat pumps:

- › **Community Energy Network (CEN)**⁸
- › **New Zealand Home Heating Association**⁹
- › **Master Plumbers (gasfitters)**¹⁰
- › **Climate Control Companies Association of New Zealand (CCCANZ)**¹¹
- › **Home Performance Advisors (HPA)**.¹²

⁴ genless.govt.nz/for-everyone/at-home/improve-energy-efficiency/insulate-your-home/blocking-draughts

⁵ lbp.govt.nz/do-i-need-an-lbp/find-an-lbp

⁶ pgdb.co.nz/public-register

⁷ kete.mbie.govt.nz/EW/EWPRSearch

⁸ communityenergy.org.nz

⁹ nzhha.co.nz

¹⁰ masterplumbers.org.nz/homeowner-info

¹¹ ccanz.org.nz/consumers

¹² homeperformanceadvisor.org.nz



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