

Guidance Note

Suspension and Revocation of Registration Process

Purpose of this guidance note

This guidance note is intended to provide further information on our suspension and revocation of registration process. It should be read in conjunction with the information provided on our website.

Introduction

We will not take the decision to suspend or revoke a community housing provider's (CHP) registration lightly, and will usually only do so having exhausted all efforts to get the CHP back complying with the eligibility criteria and/or performance standards. We will also work closely with the Ministry of Social Development (MSD) to ensure affected tenants are protected.

The process we follow is outlined in the Housing Restructuring and Tenancy Matters Act (the Act) 1992.

Suspension

In deciding to suspend a registration, we must give the affected CHP 14 days written notice. If we are not working with the CHP already, we will offer to meet with them and work to remedy the identified problem.

Suspension of registration can be for a period of up to 12 months, but can be extended if necessary. During this time, we will continue to work with the CHP to help it achieve compliance.

Following our decision to suspend a registration, we must advise MSD and record the suspension on the public register.

There are implications for a CHP with a suspended registration, in that it cannot take on any new income-related rent subsidy (IRRS) tenants - though it may still be paid IRRS for existing tenants.

Revocation

Like the suspension of registration process, we will work with the affected CHP to resolve the issues and achieve compliance before we revoke registration.

In very serious circumstances, revocation can occur even if a CHP's registration has not been suspended.

We will write to the CHP advising of our intention to revoke registration, the reason for our decision, and the date it will take effect. Depending on the circumstances, the notice period is likely to be at least 90 days, to give MSD sufficient time to find another CHP to take over the tenancy management, or move IRRS tenants to other providers.

If registration is revoked, the CHP is no longer eligible to receive IRRS or contract with MSD.

In revoking a CHP's registration we must:

- advise MSD immediately
- update the public register
- publish a notice in the *Gazette*.

A CHP can choose to revoke its registration if it no longer wishes to operate as a CHP. It must provide evidence that appropriate arrangements have been made for its social housing tenants (see [Regulation 16](#)).

Appeals

A CHP has the right to appeal any of our decisions related to eligibility, suspension or revocation. Appeals must be lodged with the District Court within 28 days of receiving our notice.

Further information

Further information can be found on our website www.mbie.chra.govt.nz, or contact us at chra@mbie.govt.nz.