

Questions from the Southshore residential red zone workshop

26 July 2012

Crown Offer - answered by CERA

Extension of the settlement date (June) if insurance offer is not finalised?

CERA is satisfied that 30 June 2013 is a realistic final settlement date for Southshore residential red zoned properties. We have been assured by insurance companies that they are progressing claims for these properties quickly. CERA is monitoring this and will follow up with the insurers and EQC where delays become a significant problem.

Can we stay in our home after settlement?

No. You must be out your home by your chosen settlement date under Option 1 or Option 2.

Do I need to arrange alternative accommodation if settlement/possession do not match?

Yes. Once the Crown has become the owner of your property no-one will be permitted to live there.

What happens to shared driveways if some are red and some are green (includes easements)?

Most private lanes are governed by rules registered against the title of each property using the lane. These rules are usually registered in the form of easements.

The Crown must abide by the rules of an easement while that easement is registered against a Crown-owned property. This could mean a contribution towards necessary maintenance or repairs, depending on the terms of the easement.

What happens to red zone properties once they are settled and become Crown owned?

Once a property transfers into Crown ownership, the Crown is responsible for looking after the property. The Crown undertakes both a proactive and reactive property management programme to mitigate any hazards on Crown-owned property in the residential red zone.

The property will eventually be cleared.

Is there a timeframe for clearance?

Currently there is no specific timeframe for the clearance of Crown-owned properties in the residential red zone.

What security measures have been arranged for remaining residents?

CERA has arranged for dedicated security patrols to operate 24 hours a day, 7 days a week in the residential red zones. These security patrols liaise with the police, fire service, ambulance, Crimewatch, Neighbourhood Watch and other community groups and associations. There are also a number of portable security cameras that are moved around neighbourhoods if there is specific activity that needs to be monitored.

Does the Crown offer deduct contents? What are contents?

You can take your personal possessions and chattels before settlement. Once the property is owned by the Crown you won't be able to return and the property will eventually become a worksite.

Chattels are items that are not attached to your land or the buildings on your land and can be removed without causing damage to your property. They include:

- Blinds, curtains and drapes.
- Unfixed carpets and rugs.
- Ovens and stoves that are soft wired or plugged in to the wall.
- Light shades and light fittings.
- Household furniture.
- Garden plants, plant pots, raised beds, and ornaments.

If you would like to remove anything else from your property or want to confirm whether a particular item is a chattel, please make contact with one of the following no later than 10 working days before your settlement date:

- CERA on 0800 7464 2372 or info@cera.govt.nz if you are planning to accept Option 1 of the Crown's offer.
- Your insurer if you are planning to accept Option 2 of the Crown offer.

When you make contact, we recommend you provide a list of the items that you would like to take with you. CERA or your insurer (as the case may be) will consider your request and advise whether or not the requested items can be removed from your property. If they can be removed you may be asked to sign a document to record any agreed arrangements, including any amounts that you will need to pay to CERA or your insurer for the those items. These amounts will be deducted from the purchase price for your property under Option 1.

My government valuation does not reflect the real value of it – what can I do?

Property owners can contact their local Council to seek a new valuation notice between the general valuations when changes have been made to a property such as erecting new buildings, or adding, altering or demolishing existing buildings. The new value is calculated on an added value basis and the valuation is still as at the date of the last revaluation for rating equity purposes.

There is also a mechanism for seeking a review of the purchase price under the Crown offer if you qualify for one or more the ground for review detailed below.

You can seek a review of your purchase price if:

- The area of the land recorded in the most recent rating valuation for your property is understated (this is the only ground on which you can seek a review of the purchase price paid under Option 2);
- The total floor area of the improvements recorded in the most recent rating valuation for your property is understated by more than five per cent; or
- You have undertaken consented building work on your property for which you hold a code compliance certificate that has increased the floor area of the insured buildings but has not been taken into account in the most recent rating valuation. You should check with your Council to confirm the area of the buildings that have been included in your rating valuation as in some cases the valuation has been adjusted to reflect changes in floor area but the floor area recorded in the rating valuation has not been updated.

It is important that you discuss the grounds on which you wish to seek a review of your purchase price with your lawyer. He or she will be able to confirm whether your property qualifies for a review. If it does and you wish to proceed with a review then your lawyer must confirm this in the settlement database. It is important to note that once your lawyer has confirmed in the database that you want to seek a review you cannot withdraw from the process and you will be charged a non-refundable fee of \$250. This fee will be deducted from the purchase price on settlement.

When will I know the outcome of my zoning review?

Property owners in the flat land have now been notified about the outcome of the zoning review. For more information regarding the zoning review click the following link <http://cera.govt.nz/zoning-review> or contact CERA on 0800 7464 2372.