

# **DIOCESE OF WAIKATO AND TARANAKI**

## **STATUTE NO. 41**

### **THE CLERGY HOUSING STATUTE 2011**

**[Updated to 2019]**

The Synod of the Diocese of Waikato and Taranaki enacts as follows –

**1. TITLE**

This Statute is The Clergy Housing Statute 2011.

**2. PURPOSE**

The purpose of this Statute is to consolidate provisions relating to housing for clergy contained in the Diocesan Statutes and Regulations and to enact policies approved by the Standing Committee.

**3. COMMENCEMENT**

This Statute will come into force at the close of the Synod at which it is enacted.

**4. HOUSING OF VICARS**

(1) Because it is necessary that:

- A Vicar and family have an adequate home;
- A Vicar be provided with such facilities as will assist in the fulfilment of ministry, in particular a study and some privacy for the pastoral interviews which ministry requires;
- A Vicar be accessible to parishioners;
- Vicars and their families have some sense of security in their homes during the years of active ministry;
- Vicars be freed, as far as possible, from any preoccupation with property and its maintenance;
- Vicars be able to offer such opportunities of friendship and hospitality as may be desired;

(2) each parish should, if it is at all possible, provide a house for its Vicar. Where no house is available a parish shall either:

- Erect or purchase a house suitable for use as a vicarage the title to which is to be registered in the name of the relevant Diocesan Trust Board (for the benefit of the Parish), or
- Permit the vicar to live in his or her own house and use it as the vicarage and pay the vicar a housing allowance in accordance with clause 6 of this Statute, or
- Rent and pay the rental for a house suitable for use as a vicarage.

**5. ERECTION OR PURCHASE OF VICARAGES**

Where a vicarage is being erected or purchased, the following requirements apply:

- (1) If an existing house is to be purchased, it must be inspected and evaluated by a registered master builder and the Faculties Advisory Group.
- (2) If a new vicarage is to be erected, the plans and specifications must be prepared by a Registered Architect and approved by the Faculties Advisory Group.
- (3) Whether an existing house is to be purchased or a new vicarage erected, the building should be of approved durable materials of standard quality with a view to minimising maintenance costs. Brick or stone cladding should be considered a priority. As well, the building should be sited so that maximum solar energy and personal comfort is gained; and due consideration given to privacy.
- (4) The Standing Committee may from time to time make Regulations to provide guidelines for vicarages.

## **6. ALTERNATIVE HOUSING ARRANGEMENTS**

- (1) In the case of a Vicar who wishes to live in a house owned by that Vicar:
  - (a) The Parish may not sell its vicarage unless the sale is approved by the Standing Committee, on the request of the Vestry. Standing Committee may impose additional requirements in any particular situation.
  - (b) If the vicarage is not to be sold, the Vestry will assume responsibility for the letting or leasing of the vicarage, for its proper regular maintenance, and for all outgoings. In that case, an allowance to be determined from time to time by the Standing Committee, but which shall not exceed 80% of the gross rental of the vicarage received by the Parish, may be paid to the Vicar. If the vicarage is not generating rent, no housing allowance is paid. It shall be a condition of any letting or leasing that the vicarage may be repossessed without undue delay in the event of a change of incumbent.
  - (c) Where the Parish does not own a vicarage, or where a vicarage has been sold or is otherwise not available as a residence for the Vicar, and agreement is reached that the Vicar will live in the Vicar's own house, a housing allowance, to be agreed between the Vicar and the Vestry, which takes into account the average rental costs of a standard three bedroom house in the area, may be paid to the Vicar.
  - (d) Ownership of a house by a Vicar will not convey any greater claim to tenure in the parish than would otherwise exist.
  - (e) The question of provision of a house or a housing allowance in lieu, should be clearly agreed upon at the time of appointment and included in the Letter of Offer.
- (2) Where the Parish does not own a vicarage, or where a vicarage has been sold or is otherwise not available as a residence for the Vicar, and the Vestry wishes to rent an appropriate house which will serve all the functions

of a vicarage as described in clause 5 of this Statute, the Parish will pay the rental cost of the house.

- (3) Any disagreement arising between the Vestry of a Parish and its Vicar, relating to any of the matters referred to in this clause, shall be referred to the Archdeacon for resolution.
- (4) The provisions of subclauses (c), (d) and (e) of clause 6 (1) and of clauses 6 (2) and 6 (3) shall apply, *mutatis mutandis*, to Regional Deans and Regional Councils.

**7. HOUSING FOR ASSISTANT CLERGY AND DIOCESAN APPOINTED CLERGY**

- (1) In the case of assistant clergy in a Parish, or clergy appointed to a Diocesan position, a house that meets the requirements of Clause 5 of this Statute and Regulations made pursuant to this Statute, *mutatis mutandis*, may be provided for their use. Alternatively, the Ministry Unit or the Diocese, as the case may be, may either:
  - (a) Rent an appropriate house and pay the rental cost of the house, or
  - (b) Pay a housing allowance, which takes into account the average rental costs of a standard three bedroom house in the area.
- (2) The Standing Committee may from time to time make Regulations to provide guidelines in respect of the housing of such clergy.

**8. REPEALS**

- (1) Clause 13 of The Faculties Statute 1972 and The Fourth Schedule to that Statute are repealed.
- (2) Standing Resolution No. 2 is repealed.
- (3) Clause 4(3) and The Clergy Housing Regulations 2014 are repealed.

**9. REQUIREMENT FOR INSULATION, HEATING AND VENTILATION**

- (1) Where a house is provided for the Vicar of a parish or assistant clergy in a parish, it shall be the duty of the parish to ensure that the house so provided complies with the provisions of any Parliamentary legislation relating to the insulation or the heating or ventilation of houses that are tenanted.
- (2) Where a house is provided for clergy appointed to a Diocesan position, it shall be the duty of the Diocese to ensure that the house so provided complies with the same provisions.