

Building brighter futures

Our fabulous speakers for this Wonder Women event were women helping build brighter futures for their communities - feeding hungry bellies and hungry minds, and helping people achieve their financial goals faster.

We heard from social media influencer Makaia Carr about her charity, Kura Kai, that donates chest freezers to high schools around New Zealand and coordinates groups of local volunteers to cook delicious hearty meals that students can take home to their families.

Michelle Ballard, deputy principal from Mount Maunganui College, gave us an insight into Wellington for the Festival for the Future, a showcase of leadership and innovation that she takes a group of students to each year.

And Alisha Brady, a financial adviser with Enable Me, gave us some fantastic advice on how to achieve our financial goals faster.

The event raised \$1060, shared between the charity Kura Kai and Mount Maunganui College students to attend the Festival of the Future event in Wellington. LOA also took this opportunity to sponsor a girl to attend the festival.

Our next Wonder Women event is on Tuesday 24 August and this time we are delving into the world of women’s health. Speakers include HeartMath practitioner Nicky Benson, holistic health coach Heidi Jennings, and Annette Evans, an educator at Insight Endometriosis.

Walk away with newfound knowledge and easy-to-establish techniques that you can implement into your day-to-day routine to help you manage your health from puberty to menopause.

Tickets are available from Events Pronto with proceeds going to our ‘Gift of Hope’ Christmas appeal for The Salvation Army.

eventspronto.co.nz/womeninhealth

Save the date! Our final Wonder Women event for the year will be on Tuesday 2 November and will provide an opportunity for you to help us sprinkle a little joy into the lives of Tauranga families this Christmas.



On your team for life.

From buying your first home, assisting with your business’ legal needs, family trust guidance, relationship property consequences, and creating Wills and Enduring Powers of Attorney, Lyon O’Neale Arnold is on your team for life with legal advice and services that will help you through the big moments, and the everyday ones. Visit our website to find out more about our services, www.loalaw.nz

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LYON \ O’NEALE \ ARNOLD

Good Lawyers for Good People

Issue 24 \ Winter 2021

Keeping you updated on our latest news and events; welcome to our winter newsletter for 2021.

The past year has been an interesting one for the real estate market in Tauranga. The housing market is showing no signs of slowing down, keeping the team here at LOA busy. Interest rates remain low but the average house price in Tauranga is now more than \$1 million, according to the latest QV House Price index. QV media said the index for June showed house prices in Tauranga continued to grow at a rapid rate. The next step for the Reserve Bank NZ is likely to be interest rate hikes. First home buyers could be the worst impacted with rising mortgage payments.

In this issue we look at what it means to be an executor of an estate; we delve further into the

bright-line test and give you some guidance on KiwiSaver withdrawals and First Home Grants.

Our annual Library Law Series in partnership with Tauranga City Libraries starts again from 1 September. Find out more on page three, as well as an introduction to our new team members and news from our mid-year social event.

We had some inspirational speakers at our Wonder Women Building Brighter Futures event in May and we’ve got another impressive line-up planned for our August event. Find out more on page four.

If you have a topic you would like covered in our next newsletter, email our Practice Manager Shiree at shiree@loalaw.nz. Thank you, as always, for supporting team LOA. Until next time...

FEATURED IN THIS ISSUE



Changes to the bright-line test



Library Law Series



An Arabian night



A guide to KiwiSaver withdrawals and First Home Grants



Meet our new team members



Wonder Women update

Keep connected with Lyon O’Neale Arnold Lawyers

Whether it is the latest in legal news, advice on our key areas of expertise, or a behind-the-scenes look at our amazing staff and their achievements in and outside the office, make sure you check out our Facebook at www.facebook.com/lyononealarnold.lawyers and website at www.loalaw.nz.

And please, spread the word to friends and family. We would love for them to follow us and everything legal.



What it means to be an executor of an estate

Writing a will is an important part of succession planning. But often we forget to educate those involved.

After you die everything you own, and owe, forms your estate and those appointed in your will to administer your property are called Executors.

An Executor must find out what assets and liabilities you had and, if these include land or assets over \$15,000, they must apply for a grant of

'Probate' to deal with the estate. They can then pay debts and distribute the balance pursuant to your will.

Executors can be held liable if an estate is distributed within six months of the grant of Probate and claims are made against the estate.

If you die without a will, your personal representatives may need to apply for 'Letters of Administration' in order to administer your estate.

Once appointed, the Administrator must follow the provisions of the Administration Act 1969 which determine how your property is distributed. This may not align with your wishes.

Executors and Administrators play an important role. Talk to us to ensure your duties are discharged correctly.

Changes to the bright-line test

What do bright-line test rules mean for those buying residential homes?

The bright-line property rule means that people who sell a residential property within a set period after acquiring it may need to pay income tax on the profit made. The Government has recently announced an extension of the bright-line period from five years to 10 years.

This means if you sell a residential property acquired after 27 March 2021 within 10 years of acquiring the

property, you may be required to pay income tax on the profit.

There are some exceptions. The 'main home' exclusion test can be used when the home being sold has been used as a main home for the whole bright-line period. Inherited property will continue to be exempt from the bright-line rules. The Government has also indicated that it intends that new builds will continue to be subject to a five-year bright-line period.



Different rules will apply depending on when you purchased your property. We can assist with checking dates to confirm the applicable bright-line period, and completing the Land Transfer Tax Statement for the IRD to ensure you are meeting your property tax obligations.

A guide to KiwiSaver withdrawals and First Home Grants

The KiwiSaver first home withdrawal and Kāinga Ora First Home Grant are separate processes that can be used in combination to jump-start the process of buying your first home.

KiwiSaver allows early withdrawal to purchase your first home. You must have been contributing to KiwiSaver for three years, be buying for the first time and live in the home or build on the land you are buying.

To be eligible for the First Home Grant, there are additional criteria you will need to meet including a requirement that you are purchasing a property within the regional house price caps, and that you are earning less than \$95,000 before tax (individual) or less than \$150,000 before tax (purchasing with others).

Grants vary between \$3000-\$10,000, depending on the type of purchase and your circumstances.

KiwiSaver withdrawal application forms are available through your provider and generally take 15 working days to process. Applications for the First Home Grant are completed through the Kāinga Ora website. Contact us to help you through the process.

Library Law Series

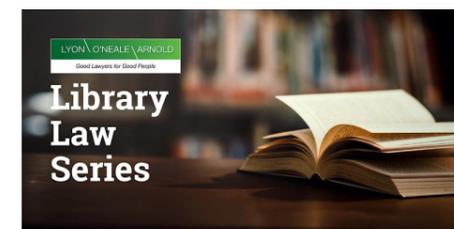
The Lyon O'Neale Arnold Library Law Series is back in 2021, offering free, easy-to-understand legal advice.

The series, held at Tauranga and Pāpāmoa Libraries, aims to demystify the law by offering sage and simple advice while also debunking common misconceptions around law topics. Welcoming both business owners and individuals, the seminars are tailored around specific topics, including Wills, Enduring Powers of Attorney, property, family trusts and relationship property.

If you're looking to buy or sell property for the first time, the Library Law Series will help ensure your experience is a positive and rewarding one.

The series will also provide information on how to make a Will and how your estate will be administered, and why you should have an Enduring Power of Attorney.

Family trust sessions will explain how a trust works, why you might consider creating one and how to administer it.



Relationship property sessions will provide advice on how to document your purchase and ensure your investment remains intact in the event of a separation.

Spaces are limited. Check out the dates and register for your free spot. library.tauranga.govt.nz



We are proud supporters of the Cambodia Charitable Trust. Enabling access to free education for children in rural Cambodia.

Meet our new team members



Niki Ririnui is our new Trust Account Administrator. She comes to us with 15 years' experience in legal services and says her new role "feels like slipping on comfy shoes". Originally from Invercargill, Niki spent 18 years living in Melbourne but is a long-time Tauranga resident and loves trying out the city's new bars and restaurants. She is a movie and pop culture buff and enjoys live music and travel.



Danielle Mooney is our new Legal Assistant. Danielle is a newly qualified Legal Executive who gained her diploma through Toi Ohomai Institute of Technology. Originally from Kapiti, Danielle moved to Tauranga with her husband five years ago and enjoys the city-beach mix that Tauranga has to offer. With three sons under the age of 10 and two dogs, Danielle's free time is filled with Saturday sports, outdoors activities and precious family get-togethers. Danielle looks forward to stepping into her first legal role and using the skills she gained whilst studying to help others.

An Arabian night

While travel restrictions mean we can't experience the rich history of the Middle East right now, we were able to try the delectable flavours of food representative of the region recently via Kitchen Takeover's 'East of the Middle' pop-up kitchen.

Team LOA enjoyed the mystery of six courses - a tongue-tingling spice trail that worked its way from the souks of Syria to the markets of Marrakesh - as well as enjoying each other's company in an exotic secret location. Special thanks to Stacey Jones and chef Rob Forsman for making it an Arabian night to remember.

