

Order of the Tenancy Tribunal

Residential Tenancies Act 1986

Office of the Tenancy Tribunal

Tenancy Tribunal at Auckland**Tenancy Address**

Suite 219, Imperial, 135 Hobson Street, Auckland Central, Auckland 1010

Applicant

Full Name

Housing New Zealand Corporation - Wellington

Landlord

Respondents

Full Name

Jesse Adam Bradley

Tenant

Order of the Tribunal

The Tribunal hereby orders:

1. The hearing is adjourned. Housing New Zealand Corporation - Wellington may file a request for continuation of the hearing and an application for compensation and the balance of the rent in lieu of notice (if any).

(Section 96 Residential Tenancies Act 1986)

2. Jesse Bradley to pay Housing New Zealand Corporation - Wellington the sum of \$1,460.61 immediately calculated as follows:

plus Costs to be paid to Landlord:

Methamphetamine Test Cost	\$2,258.33
Minus overpaid rent	\$797.72
Amount payable by Tenant to Landlord	\$1,460.61

(Sections 77(2)(k) and 78(1)(d) Residential Tenancies Act 1986)

Reasons:

1. Mr Bradley vacated the tenancy on 2 March 2015. However he continued to pay rent up to 6 May 2015. This resulted in an overpayment of rent of \$797.72.
2. During Mr Bradley's tenancy Housing New Zealand were advised by the Auckland District Health Board to test his tenanted premises for methamphetamine contamination. This was because Mr Bradley was attending drug and alcohol detoxification at the Auckland District Health Board.
3. Housing New Zealand duly arranged to have the test done and the evidence presented today shows that the premises were indeed contaminated.
4. On this evidence I find that the contamination more than likely occurred during Mr Bradley's tenancy and that he ought therefore to pay for the cost of testing. This cost has been established.
5. Housing New Zealand advises that there will be more costs associated with remediation and retesting, and I have therefore granted a continuation.
6. Mr Bradley did not attend today's hearing.