

Order of the Tenancy Tribunal*Residential Tenancies Act 1986**Office of the Tenancy Tribunal***Tenancy Tribunal at Auckland****Tenancy Address**

Suite 5, 139 Greys Avenue, Auckland Central, Auckland 1010

Applicant

Full Name

Housing New Zealand Corporation - Wellington

Landlord

Respondents

Full Name

Geoffrey Heaps

Tenant

Order of the Tribunal

The Tribunal hereby orders:

1. Geoffrey Heaps to pay Housing New Zealand Corporation the sum of \$2,233.84 immediately calculated as follows:

Costs to be paid to Landlord:

Dowdell & Associates Ltd - invoice dated 28/04/15 - methamphetamine testing	\$2,353.84
minus Bond	\$120.00
Amount payable by Tenant to Landlord	\$2,233.84

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

2. The Bond Centre to pay the bond of \$120.00 (3022018-007) to the applicant immediately.

(Sections 22 and 127(4)(a) Residential Tenancies Act 1986)

3. The application is adjourned to a further time and date to be advised (scheduler to allow 2.5 hours before any adjudicator in 8 week's time).

4. The landlord is to provide a list of claims in respect of the costs for cleansing, decontamination, remediation and further drug testing of the premises. These claims, together with supporting invoices and quotations, are to be sent to the tenant and the landlord at least 10 days before the resumed hearing.

Reasons:

1. The tenancy started on 13 April 2010 and ended on 2 April 2015. The premises are a one bedroom bedsit in a complex in Greys Avenue, Central Auckland.
2. The tenant Geoffrey Heaps has been re-housed by Housing New Zealand commencing on 14 May 2015.
3. The landlord says the evidence indicates that a groups of people associated with a gang had been intimidating the 67-year-old tenant and using his premises to manufacture and/or use drugs during the day. The landlord understands the tenant feared for his safety and gave notice to leave on 2 April 2015. The tenant advised that he had been leaving the property during the day and returning at night during which time the gang would enter the premises. The police had recently raided the property.
4. The walls of the premises have been considerably tagged. Photographs were presented at the hearing.
5. The landlord says the costs associated with the cleansing, decontamination, retesting and remediation of the property will likely be approximately \$30,000 to \$50,000. The landlord seeks an adjournment for 8 weeks to quantify the actual costs.
6. The drug testing by Dowdell & Associates Ltd indicate methamphetamine levels throughout the apartment are above the 0.5ug/100cm² threshold outlined in the Ministry of health guidelines. The results show very high levels in the hallway and bathroom.
7. I am satisfied that the tenant should be resposnible for the drug testing costs undertaken by Dowdell & Associates in the amount of \$2,353.84.
8. The tenant did not appear at the hearing.