[2025] NZTT 5143611

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Star Property Management Southland Limited

Landlord

RESPONDENT: Jessie Stewart

Tenant

TENANCY ADDRESS: 56 Dundee Street, Strathern, Invercargill 9812

ORDER

1. The tenancy of Jessie Stewart at 56 Dundee Street, Strathern, Invercargill 9812 is terminated, and possession is granted to Star Property Management Southland Limited immediately.
2. The Bond Centre is to pay the bond of $1,120.00 () to Star Property Management Southland Limited immediately.
3. Jessie Stewart must pay Star Property Management Southland Limited $3,548.43 immediately, calculated as shown in the table below:

Description	**Landlord**	**Tenant**
Rent arrears	$4,641.43	
Filing fee reimbursement	$27.00	
Total award	**$4,668.43**	
Bond	$1,120.00	
Total payable by Tenant to Landlord	**$3,548.43**	

Reasons:

1. The landlord attended the hearing, conducted via teleconference. Two calls to the tenant went unanswered. There was no ability to leave a voicemail message. I was satisfied adequate service had completed and I continued with the hearing after the second call also went unanswered.
2. The landlord has applied for termination of the tenancy, rent arrears and refund of the bond.
3. Rent was at least 21 days in arrears on the date the application was filed. The tenancy is terminated. See section 55(1)(a) Residential Tenancies Act 1986.
4. The landlord provided rent records which prove the amount owing at the end of the tenancy is as ordered.
5. Because Star Property Management Southland Limited has wholly succeeded with the claim I must reimburse the filing fee.

M Brennan
31 March 2025

Please read carefully:

Visit justice.govt.nz/tribunals/tenancy/rehearings-appeals for more information on rehearings and appeals.

Rehearings

You can apply for a rehearing if you believe that a substantial wrong or miscarriage of justice has happened. For example:

- you did not get the letter telling you the date of the hearing, **or**
- the adjudicator improperly admitted or rejected evidence, **or**
- new evidence, relating to the original application, has become available.

You must give reasons and evidence to support your application for a rehearing.
A rehearing will not be granted just because you disagree with the decision.
You must apply within five working days of the decision using the Application for Rehearing form: justice.govt.nz/assets/Documents/Forms/TT-Application-for-rehearing.pdf

Right of Appeal

Both the landlord and the tenant can file an appeal. You should file your appeal at the District Court where the original hearing took place. The cost for an appeal is $260. You must apply within 10 working days after the decision is issued using this Appeal to the District Court form: justice.govt.nz/tribunals/tenancy/rehearings-appeals

Grounds for an appeal

You can appeal if you think the decision was wrong, but not because you don't like the decision. For some cases, there'll be no right to appeal. For example, you can't appeal:

- against an interim order
- a final order for the payment of less than $1000
- a final order to undertake work worth less than $1000.

Enforcement

Where the Tribunal made an order about money or property this is called a **civil debt**. The Ministry of Justice Collections Team can assist with enforcing civil debt. You can contact the collections team on **0800 233 222** or go to justice.govt.nz/fines/civil-debt for forms and information.

Notice to a party ordered to pay money or vacate premises, etc.

Failure to comply with any order may result in substantial additional costs for enforcement. It may also involve being ordered to appear in the District Court for an examination of your means or seizure of your property.

If you require further help or information regarding this matter, visit tenancy.govt.nz/disputes/enforcing-decisions or phone Tenancy Services on 0800 836 262.

Mēna ka hiahia koe ki ētahi atu awhina, kōrero ranei mo tēnei take, haere ki tenei ipurangi tenancy.govt.nz/disputes/enforcing-decisions, waea atu ki Ratonga Takirua ma runga 0800 836 262 ranei.

A manaomia nisi faamatalaga poo se fesoasoani, e uiga i lau mataupu, asiasi ifo le matou aupega tafailagi: tenancy.govt.nz/disputes/enforcing-decisions, pe fesootai mai le Tenancy Services i le numera 0800 836 262.