[2025] NZTT 5115448

TENANCY TRIBUNAL AT [Event location suppressed]

APPLICANT: [The applicant/s]

Landlord

RESPONDENT: Elizabeth Stevens

Tenant

TENANCY ADDRESS: [Tenancy address suppressed]

ORDER

1. An application for suppression has been made in this case, and the Tribunal orders suppression of the Landlord name and identifying details.
2. The tenancy of Elizabeth Stevens at [Tenancy address suppressed] terminated on 7 November 2025.
3. Elizabeth Stevens must pay [The landlord/s] $6,198.43 immediately, in accordance with the following table:

Description	**Landlord**	**Tenant**
Rent arrears to 7/11/25	$8,571.43	
Filing fee reimbursement	$27.00	
Total award	**$8,598.43**	
Bond	$2,400.00	
Total payable by Tenant to Landlord	**$6,198.43**	

4. The Bond Centre is to pay the bond of $2,400.00 ([Bond number suppressed]) to [The landlord/s] immediately.

Reasons:

1. The landlord attended the hearing represented by [redacted].
2. The tenant did not attend and did not answer the calls made to her phone during the hearing. She had been notified of the hearing by email and text, accordingly pursuant to section 92 of the Residential Tenancies Act 1986 (RTA) the hearing continued in her absence.
3. The landlord has applied for termination of the tenancy, rent arrears and refund of the bond.

Should the tenancy be terminated?

4. The Tribunal may terminate the tenancy where the premises have been abandoned and rent is in arrear at the hearing date. See section 61 RTA.
5. This was a fixed term tenancy which Ms Stevens left in breach of the agreement. As soon as the landlord was aware she had left they commenced advertising and filled the property as soon as they could which unfortunately due to the market and location of the property was not until 8 November 2025.
6. Because the premises have been abandoned, and rent is in arrear, the tenancy is terminated.

How much does the tenant owe?

7. The landlord provided rent records which prove the amount owing at the end of the tenancy. Given this was a fixed term tenancy the landlord is entitled to recover rent arrears until the date prior to the new tenancy commencing, see section 61(3)(b)(ii) RTA.

8. Because [The applicant/s] has wholly succeeded with the claim I must reimburse the filing fee and approve their claim for suppression.

K Lash
01 April 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.