[2025] NZTT 5203291

TENANCY TRIBUNAL AT [Event location suppressed]

APPLICANT: [The applicant/s]

Landlord

RESPONDENT: Ofa Leota

Tenant

TENANCY ADDRESS: Unit/Flat Flat 10, 7 Booth Street, Miramar, Wellington 6022

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 Ofa Leota at Unit/Flat Flat 10, 7 Booth Street, Miramar, Wellington 6022 is terminated, and possession is granted to [The landlord/s], **immediately**.
3. Ofa Leota must pay [The landlord/s] $11,022.52 immediately, calculated as shown in the table below:

Description	**Landlord**	**Tenant**
Rent arrears to 22.4.25	$10,995.52	
Filing fee reimbursement	$27.00	
Total award	**$11,022.52**	
Total payable by Tenant to Landlord	**$11,022.52**	

Reasons:

1. Both parties attended the hearing via remote teleconference.
2. The landlord has applied for termination of the tenancy and rent arrears.

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. The landlord also provided an updated rent ledger just prior to the hearing. Having sighted this updated evidence I am satisfied that the tenant is responsible for this debt.
5. The claim for rent arrears is proven.
6. Because [The applicant/s] has wholly succeeded with the claim I must reimburse the filing fee.
7. The Tribunal must, on the application of a party that has wholly or substantially succeeded in proceedings, order that the party's name or identifying particulars not be published, unless the Tribunal considers that publication is in the public interest or is justified because of the party's conduct or any other circumstances of the case – section 95A Residential Tenancies Act.
8. The landlord applied for a name suppression order. The landlord is entitled to name suppression as the application is successful – see section 95A RTA.

M Manhire
22 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.