[2025] NZTT 5286681

TENANCY TRIBUNAL AT [Event location suppressed]

APPLICANT:	Prestige Real Estate International Limited As Agent For Jason Westland Landlord
RESPONDENT:	[The respondent/s] Tenant
TENANCY ADDRESS:	8 Fermier Greens, Silverdale, Auckland 0932

ORDER

1. The Tribunal orders suppression of the tenant's name and identifying details.
2. Prestige Real Estate International Limited As Agent For Jason Westland must pay [The tenant/s] $8,679.14 immediately, calculated as shown in table below.

Description	**Landlord**	**Tenant**
Rent arrears to 3 June 2025		$10,449.14
Water rates	$527.00	
Cleaning	$600.00	
Eviction warrant pursuant to possession order	$258.00	
Lawns and Garden work	$385.00	
Total award	**$1,770.00**	**$10,449.14**
Net award		$8,679.14
Bond		$3,500.00
Total payable by Landlord to Tenant		**$8,679.14**

Reasons:

Should any party be granted name suppression?

1. It is understood that the tenant may have suffered a significant health event that contributed to the circumstances giving rise to this application. On that basis, it is considered appropriate to grant name suppression to the tenant.

Should the hearing proceed in the tenant's absence?

2. Only the landlord/applicant attended the hearing. The tenant/respondent was not located at the courthouse and could not be contacted via the mobile number, which the landlord confirmed was the only number known for the tenant.
3. However, the tenant had previously communicated with the landlord using the same contact details recorded in the tenancy agreement, which were also listed as his address for service. No communication was received by the Registry seeking an adjournment or alternative attendance method. Accordingly, as the tenant was properly served and did not engage, the hearing proceeded in his absence.
4. The landlord seeks orders for rent arrears, compensation, refund of the bond, and reimbursement of the filing fee following the end of the tenancy..

How much is owed for rent and water rates?

5. The tenancy ended on 3 June 2025. The landlord provided rent records and water rates invoices substantiating the amounts owing at the end of the tenancy. These amounts are accepted and ordered.

Did the tenant comply with his obligations at the end of the tenancy?

6. At the end of a tenancy, the tenant is required to leave the premises reasonably clean and tidy, remove all rubbish, return all keys and security devices, and leave behind all chattels provided for their use, as per section 40(1)(e)(ii)-(v) of the Residential Tenancies Act 1986.
7. The landlord submitted receipts for cleaning, lawn mowing, and garden maintenance. These costs are accepted and ordered..

Does the tenant owe any additional costs?

8. The landlord confirmed that, following the issuance of an earlier possession order, the tenant failed to vacate the premises voluntarily. As a result, enforcement action was required. The landlord provided a receipt for the

eviction warrant executed under the possession order. These enforcement costs are accepted and ordered.

Should the Tribunal's filing fee be reimbursed to the landlord?

9. As Prestige Real Estate International Limited As Agent For Jason Westland has wholly succeeded in its claim, the Tribunal reimburses the filing fee.

P Singh
06 August 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, or the failure to make an order, where the amount in dispute on appeal is less than $1000
- a final order to undertake work, or the failure to make an order, where the value of the work in dispute on appeal is 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.