[2025] NZTT 5275024

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT:	Watson Real Estate Limited As Agent For Tai Paul Rental Properties Limited Landlord
RESPONDENT:	Daniel Christopher Chandler Tenant
TENANCY ADDRESS:	235B Manly Street, Paraparaumu Beach, Paraparaumu 5032

ORDER

1. Daniel Christopher Chandler must pay Watson Real Estate Limited As Agent For Tai Paul Rental Properties Limited $3,399.80 immediately, calculated as shown in table below.
2. The Bond Centre is to pay the bond of $1,600.00 () to Watson Real Estate Limited As Agent For Tai Paul Rental Properties Limited immediately.

Description	**Landlord**	**Tenant**
Rent arrears to 20 July 2025	$3,428.57	
Rubbish removal	$726.00	
Window repairs	$818.23	
Filing fee reimbursement	$27.00	
Total award	**$4,999.80**	
Bond	$1,600.00	
Total payable by Tenant to Landlord	**$3,399.80**	

Reasons:

1. The landlord attended the hearing which was held by teleconference. The tenant did not answer any of the calls made at the scheduled time on the two numbers provided to the Tribunal.

2. The tenant has been served by email which is an address for service on his tenancy agreement.
3. Because I am satisfied the tenant has been served notice of the hearing in accordance with the Residential Tenancies Act, 1986 and the tenant has not requested an adjournment, the hearing was conducted in the tenant's absence.
4. The landlord has applied for rent arrears, compensation, reimbursement of the filing fee and refund of the bond.

How much is owed for rent?

5. The landlord stated that following a change in circumstances for the tenant, the tenancy was terminated by agreement effective 20 July 2025. As of this date the rent arrears amounted to $3,428.57.
6. The landlord provided rent records which prove the amount owing.

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

7. At the end of the tenancy the tenant must leave the premises reasonably clean and tidy and remove all rubbish. See section 40(1)(e)(ii)-(v) Residential Tenancies Act 1986.
8. At the end of the tenancy, the tenant left personal belongings of no value and rubbish at the premises. The landlord has had to dispose of this.
9. The landlord gave oral evidence regarding the cost of disposal. I have no reason to doubt the accuracy of this information.
10. This claim and amount are proved.

Is the tenant responsible for the damage to the premises?

11. A landlord must prove that damage to the premises occurred during the tenancy and is more than fair wear and tear. If this is established, to avoid liability, the tenant must prove they did not carelessly or intentionally cause or permit the damage. Tenants are liable for the actions of people at the premises with their permission. See sections 40(2)(a), 41 and 49B RTA.
12. The landlord said that during the tenancy a ranchslider window was broken. She has obtained a quotation of $818.23 to repair the glass. I have no reason to doubt the accuracy of the landlord's claim.
13. The damage to the ranchslider window is more than fair wear and tear and the tenant has not disproved carelessness or intention in causing the damage.
14. The amounts ordered are proved.

15. Because Watson Real Estate Limited As Agent For Tai Paul Rental Properties Limited has wholly succeeded with the claim I must reimburse the filing fee.

C Lamdin
20 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.