TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Cosmos Property Management Limited

Landlord

RESPONDENT: Tristan Kalab Williams, Rocquebye Heeni Sue Williams-Wilkonson

Tenant

TENANCY ADDRESS: 47B Crestview Rise, Papakura, Papakura 2110

ORDER

1. The tenancy of Tristan Kalab Williams and Rocquebye Heeni Sue Williams-Wilkonson at 47B Crestview Rise, Papakura, Papakura 2110 is terminated, and possession is granted to Cosmos Property Management Limited, at 11.59pm, Saturday 23 August 2025.
2. The Bond Centre is to pay the bond of $2,600.00 (6544943-001) to Cosmos Property Management Limited immediately.
3. Tristan Kalab Williams and Rocquebye Heeni Sue Williams-Wilkonson must pay Cosmos Property Management Limited $4,788.49 immediately, calculated as shown in the table below:

Description	**Landlord**	**Tenant**
Rent arrears to 23 August 2025	$6,850.00	
Water rates credit		$38.51
Insurance excess for damage	$550.00	
Filing fee reimbursement	$27.00	
Total award	**$7,427.00**	**$38.51**
Net award	$7,388.49	
Bond	$2,600.00	
Total payable by Tenant to Landlord	**$4,788.49**	

Reasons:

1. The landlord attended the hearing. The tenants did not attend the hearing.
2. The landlord produced an email that he received from one of the tenants advising that they were unable to attend the hearing due to another commitment. No request for adjournment was submitted.
3. An attempt was made to join the tenants to the hearing by telephone, but the call went to voicemail. As the tenants had notice, the hearing proceeded in their absence.
4. The landlord has applied for termination of the tenancy, rent arrears and refund of the bond.
5. 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.

How much is owed for rent and water rates?

6. The tenancy is to terminate on 23 August 2025. The landlord provided rent records and water rates invoices which prove the amount owing at the end of the tenancy.
7. The tenant owes $6850.00 rent up to 23 August 2025. At the time of hearing the tenants are in credit for water rates so that amount is deducted from what they owe.
8. The landlord claimed for damage caused by the tenants during the tenancy. The damage was in relation to the carpet, the laminate flooring and wall, door jamb damage. The landlord obtained quotes for the damage and submitted an insurance claim. That claim was accepted, and the insurance company only seeks one amount of insurance excess for all the damage caused.
9. I accept that this damage occurred during the tenancy, so I award the landlord the insurance excess of $550.00 in relation to the damage.
10. Because Cosmos Property Management Limited has wholly succeeded with the claim I must reimburse the filing fee.

N Walker
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.