[2025] NZTT 5292342

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT:	Prestige Property Management Limited Landlord
RESPONDENT:	Reuben Alexander Sienkiewicz Turrall Tenant
TENANCY ADDRESS:	Unit/Flat Flat 3, 32 Hendon Street, Edgeware, Christchurch 8013

ORDER

1. Reuben Alexander Sienkiewicz Turrall must pay Prestige Property Management Limited $741.13 immediately, calculated as shown in table below.

Description	Landlord	Tenant
Rubbish removal	$267.38	
Cleaning	$258.75	
Lock/key replacement	$188.00	
Filing fee reimbursement	$27.00	
Total award	**$741.13**	
Total payable by Tenant to Landlord	**$741.13**	

2. The balance of the claim is dismissed.

Reasons:

1. The landlord attended the hearing by video call.
2. The tenant was telephoned on the phone number provided but the phone call went unanswered. I am satisfied the tenant was properly served with the application and notice of the hearing. The hearing proceeded in his absence.

3. The landlord has applied for compensation and reimbursement of the filing fee following the end of the tenancy.

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

4. At the end of the tenancy the tenant must leave the premises reasonably clean and tidy, remove all rubbish, return all keys and security devices, and leave all chattels provided for their benefit. See section 40(1)(e)(ii)-(v) Residential Tenancies Act 1986.
5. The tenant did not leave the premises reasonably clean and tidy and did not remove all rubbish. Surfaces around the premises were grubby and the curtains were dirty. The rubbish left at the premises included a chair, broken heater and bike.
6. The tenant did not return the keys.
7. The amounts ordered are proved with invoices and post tenancy photographs.

Loss of rent

8. The landlord sought loss of rent compensation equivalent to one weeks rent. The Tribunal is cautious when awarding loss of rent compensation. It is usually reserved for situations where significant cleaning, repairs, or rubbish removal has been required which meant that the premises could not be re-let for a substantial period.
9. The tenant has been ordered to pay rent to 30 May 2025 and the rubbish removal and cleaning invoices are dated within a week of this. In this case I understand it was a couple of weeks between tenancies. Two to three weeks is not a significant delay.
10. I decline to award loss of rent as I consider the landlord should anticipate some delay between tenancies and in this case that delay has not been significant.

Filing fee

11. Because the landlord has substantially succeeded with the claim, I have reimbursed the filing fee.

Name suppression.

12. The landlord did not seek name suppression.

N Bradley
21 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.