[2025] NZTT 5199092

TENANCY TRIBUNAL AT [Event location suppressed]

APPLICANT: [The applicant/s]

Landlord

RESPONDENT: [The respondent/s]

Tenant

TENANCY ADDRESS: [Tenancy address suppressed]

ORDER

1. The Tribunal orders suppression of the parties' names and identifying details.
2. [Tenant 1] must pay [The landlord/s] $903.92 immediately as calculated in the table below.
3. [The tenant/s] must pay [The landlord/s] $1,807.86 immediately, as calculated in the table below.

Description	**Landlord**
Half share of rent to end of tenancy [Tenant 1]	$903.93
Half share of rent to end of tenancy [Tenant 2]	$903.93
Total award	**$1,807.86**
Total payable by Tenant to Landlord	**$1,807.86**

Reasons:

1. This hearing took place by teleconference. [The landlord's representative] attended for [The landlord/s]. The tenant [Tenant 2] attended the hearing supported by [Tenant 2's representative]. The tenant [Tenant 1] was called on the number provided but there was no answer. The file records that all parties were sent notice of the hearing so the matter proceeded.
2. The landlord is a social housing provider.

3. The tenants were unknown to each other and both in need of housing and the landlord arranged for them to sign a joint tenancy and share premises.
4. Initially the rent was paid half each by the tenants.
5. [Tenant 1] left the premises and [Tenant 2] remained in the premises and was left to pay the rent.
6. The joint tenancy ended on 14 March 2025.
7. The landlord has applied for rent arrears and has provided rent records which prove the amount owing.
8. [Tenant 2] claims that his share of the remaining rent arrears should be less than [Tenant 1]'s as a result of the rent being increased due to [Tenant 1] gaining employment and [Tenant 1] leaving the premises without proper notice.
9. The landlord disputes this on the basis that both parties are joint tenants and jointly and severally liable. The landlord advised that [Tenant 1] has contributed a significant amount towards reducing the rent arrears as a result of payments being made by a church on behalf of [Tenant 1] after the application was filed.
10. Having considered the above factors I find that the landlord has proved the amount of rent arrears owed and there is insufficient evidence that the tenants are not both liable for any outstanding rent.
11. Therefore, I find that both tenants are liable for the remaining outstanding rent and apportion it equally between them.
12. The Tribunal may on the application of any party or on its own initiative make a suppression order, having regard to the interests of the parties and to the public interest. Section 95A (4) Residential Tenancies Act 1986. The applicant is supportive of suppression due to the tenant's personal circumstances. There was a willingness of both parties to seek to resolve matters. Having considered the factors in this case the Tribunal orders suppression of all party details.

G Guptill
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.