[2025] NZTT 5295021

TENANCY TRIBUNAL AT [Event location suppressed]

APPLICANT: [The applicant/s]

Landlord

RESPONDENT: Mychaela Ashley Anne Plant

Tenant

TENANCY ADDRESS: 20 Spencer Road, Pinehill, Auckland 0632

ORDER

1. Upon the landlord's application, the Tribunal orders suppression of the landlord's name and identifying details.
2. Mychaela Ashley Anne Plant must pay [The landlord/s] $1,188.47 immediately, calculated as follows:

Description	**Landlord**	**Tenant**
Rubbish removal	$829.00	
Lock/key replacement	$221.00	
Water rates	$111.47	
Filing fee reimbursement	$27.00	
Total payable by Tenant to Landlord	**$1,188.47**	

Reasons:

The landlord's application

1. On 7 April 2025, the Tribunal issued an earlier order in the landlord's favour, granting termination of tenancy, rental and water arrears, refund of bond, and reimbursement of the filing fee, and name suppression.
2. In this hearing, the landlord seeks reimbursement of certain post-termination vacation costs that were not dealt with, and additional to, those at the earlier

Tribunal hearing, reimbursement of the Tribunal's filing fee, and name suppression.

Should the Tribunal proceed in the tenant's absence?

3. Only the landlord attended the hearing. The tenant could not be contacted and did not appear.
4. The Registry confirmed service of hearing notice via the tenant's known email and phone, as listed in the tenancy agreement and previously used by the landlord.
5. No adjournment request or alternate attendance was received from the tenant.
6. The Tribunal was satisfied that the tenant was properly served, and the hearing proceeded in her absence.

Should the Tribunal order the amounts sought?

Rubbish removal - $829.00

7. Under section 40(1)(e)(iii) of the Act and clause 6 of the tenancy agreement, tenants must leave the premises reasonably clean and remove all rubbish upon termination.
8. The tenant failed to do so. The landlord's invoice was accepted. Accordingly, the Tribunal accepted the landlord's claim and orders compensation under sections 77(2)(n) and 78(1)(d) of the Act.

Locksmith charges - $221.00

9. Section 40(1)(e)(iv) of the Act and clause 6 of the tenancy agreement require the tenant to return all keys at the end of tenancy.

   The tenant failed to return her keys. The landlord's replacement costs were supported by an invoice. Accordingly, the Tribunal accepted the landlord's claim and orders compensation under sections 77(2)(n) and 78(1)(d) of the Act.

Water charges - $111.47

10. Under section 39(4)(c) of the Act and clause 6 of the agreement, the tenant is liable for water usage charges.
11. An outstanding amount remained at the end of the tenancy. The landlord's invoice for volumetric water consumptions charges was accepted. Accordingly, the Tribunal accepted the landlord's claim and orders compensation under sections 77(2)(k) and 78(1)(d) of the Act.

Should the Tribunal order other compensatory amounts sought by the landlord?

12. The landlord also claimed compensation of:
    a. $50.00 for damaged timber flooring,
    b. $50.00 for damaged entrance tile, and
    c. $150.00 for a damaged gas hose.
13. These claims lacked:
    a. Independent verification (e.g. quotes, receipts); and
    b. Photographic and/or other evidence of the property's pre-tenancy condition.
14. After discussion of these issues with the landlord, these amounts claimed were not pursued further due to their relatively low value.
15. The Tribunal dismisses these claims accordingly.

Filing fee

16. As the landlord at least partially succeeded, the Tribunal reimbursement of the filing fee is awarded under section 102(4)(b) of the Act.

Should the Tribunal order name suppression?

17. Under section 95A(1) of the Act, a wholly or substantially successful party is entitled to name suppression unless public interest justifies publication.
18. As the landlord substantially succeeded and there is no public interest overriding suppression, suppression is granted.

P Singh
22 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.