[2025] NZTT 5260065

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Kāinga Ora–Homes And Communities

Landlord

RESPONDENT: Akuila Takataka

Tenant

TENANCY ADDRESS: Unit/Flat 1, 48 Rosella Road, Mangere East, Auckland 2024

ORDER

1. Akuila Takataka must pay Kāinga Ora–Homes And Communities $2,175.08 immediately, calculated as shown in table below.
2. The Bond Centre is to pay the bond of $96.00 to Kāinga Ora–Homes And Communities immediately.

Description	**Landlord**	**Tenant**
Rubbish removal	$1,969.44	
Repairs: remove carport	$492.36	
Rent credit		$190.72
Total award	**$2,461.80**	**$190.72**
Net award	$2,271.08	
Bond	$96.00	
Total payable by Tenant to Landlord	**$2,175.08**	

Reasons:

1. Both parties attended the hearing by telephone.
2. The landlord has applied for compensation and refund of the bond following the end of the tenancy.

3. 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.
4. The landlord provided photographic evidence that the tenant did not remove all rubbish, including garden waste.
5. The landlord also claimed the cost of dismantling and removing an unauthorised carport from the property which the tenant accepted.
6. Having examined the landlord's evidence and the invoices for the work as explained by the landlord, the Tribunal is satisfied that the amount claimed is fair and reasonable.
7. The landlord had also claimed an amount for the repair of some small holes in walls but accepted that given the length of the tenancy, they were most likely fair wear and tear. The landlord withdrew that claim.

G Baker
26 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.