[2025] NZTT 5304251

TENANCY TRIBUNAL AT [Event location suppressed]

APPLICANT: [The applicant/s]

Landlord

RESPONDENT: Monique Zaire Takarangi-Edwards, Giuseppe Maresca

Tenant

TENANCY ADDRESS: Unit/Flat 8, 26 Phillip Street, Johnsonville, Wellington 6037

ORDER

1. An application for suppression has been made in this case, and the Tribunal orders suppression of the landlord's name and identifying details.
2. The tenancy of Monique Zaire Takarangi-Edwards and Giuseppe Maresca at Unit/Flat 8, 26 Phillip Street, Johnsonville, Wellington 6037 is terminated, and possession is granted to [The landlord/s], at midnight on Monday 1 September 2025.
3. The Bond Centre is to pay the bond of $1,680.00 ([Bond number suppressed]) to [The landlord/s] immediately.
4. Monique Zaire Takarangi-Edwards and Giuseppe Maresca must pay [The landlord/s] $3,118.00 immediately, calculated as shown in the table below:

Description	**Landlord**	**Tenant**
Rent + rent arrears (rent arrears of $4590.00 to 29 August 2025 + rent $ 180.00 to 1 September 2025)	$4,770.00	
Filing fee reimbursement	$28.00	
Total award	**$4,798.00**	
Bond	$1,680.00	
Total payable by Tenant to Landlord	**$3,118.00**	

Reasons:

1. The hearing proceeded by way of telephone conference. [Property Manager], Property Manager, appeared for the landlord. Ms Takurangi-Edwards was joined to the hearing by telephone. She requested a two-minute adjournment as she was driving on the motorway and needed to pull over. The Tribunal attempted to join Mr Maresca to the hearing by telephone however Ms Takurangi-Edwards answered the call. Ms Takurangi-Edwards advised she was still driving on the motorway and terminated the call. The hearing was adjourned for 10 minutes. Unsuccessful attempts were then made to join the tenants to the hearing. The Tribunal is satisfied that the tenants were aware of today's proceedings and the case proceeded in their absence.
2. The tenancy commenced on 23 March 2025 with the fixed term due to expire on 21 October 2026.
3. On 14 July 2025, the landlord filed an application with the Tribunal seeking termination of the tenancy for rent arrears, rent arrears, refund of the bond and reimbursement of the filing fee.
4. The onus of proving these claims rests with the landlord. The standard required is on the balance of probabilities. The landlord must establish more likely than not that the tenant has breached the terms of the agreement or provisions of the Residential Tenancies Act 1986 (the "Act").

Termination and possession

5. Under section 55(1) of the Act, the Tribunal must, subject to subsection 55(2) terminate the tenancy, if at the time the application was filed, the rent was at least 21 days in arrears.
6. The landlord provided up to date rent records which prove the amount owed. At the date of filing the tenants owed $1,830.00 in rent arrears. Rent was at least 21 days in arrears on the date the application was filed. The tenancy is terminated.
7. The landlord seeks possession of the property at midnight on Monday 1 September 2025 to give the tenant time to vacate the premises. Having heard from the landlord the Tribunal is satisfied that it is appropriate to grant possession to the landlord at midnight on Monday 1 September 2025.

Rent arrears

8. The landlord provided rent records which proved the amount owing. At the date of hearing the tenant owes rent arrears totalling $4590.00 in rent arrears. The amount claimed is ordered.

Costs

9. Because [The applicant/s] has wholly succeeded with the claim I must reimburse the filing fee.

Name Suppression

10. Section 95A of Act provides that on the application of a party that has been wholly or substantially successful in proceedings, the Tribunal must order that the name or identifying particulars not be published, unless the Tribunal considers that it is in the public interest to publish the names of the parties, or is justified because of the parties' conduct, or any other circumstances of the case.

11. The landlord has been wholly successful and is granted name suppression.

M Feist
29 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.