[2025] NZTT 5243406

TENANCY TRIBUNAL AT CHRISTCHURCH | TE TARAIPIUNARA RETIHANGA KI ŌTAUTAHI

APPLICANT: Whittle Knight & Boatwood Estate Agents Limited

Landlord

RESPONDENT: Elliot Owens, Praise Vinas

Tenant

TENANCY ADDRESS: Unit/Flat 4, 58 Matipo Street, Riccarton, Christchurch 8041

ORDER

1. Elliot Owens and Praise Vinas to pay Whittle Knight & Boatwood Estate Agents Limited $207.00 from the bond, calculated as shown in table below:

Description	**Landlord**	**Tenant**
Rubbish removal and bin cleaning	$207.00	
Total award	**$207.00**	
Bond	$207.00	

2. The Bond Centre is to pay the bond of $207.00 (3098549-016) to Whittle Knight & Boatwood Estate Agents Limited immediately.

Reasons:

1. The landlord's representative attended the hearing. The tenants did not attend. Mr Owens requested approval to attend by phone. That was granted. The registrar called him twice. The calls went to voice mail.
2. The landlord has applied for the cost of rubbish removal from, and the cleaning of, the Council rubbish bins.

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

3. 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.
4. The tenants did not remove all rubbish from the bins and did not clean the rubbish bins.
5. The amount ordered is proved by an invoice and photos and by the evidence given by the landlord's representative.
6. The landlord did not seek reimbursement of the filing fee.

J Greene
05 September 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.