[2025] NZTT 5268560

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT:	Chantelle Anne Philip And Liam Robert Philip As Trustees Of The Heath Trust Landlord
RESPONDENT:	Victoria Heather Roey Apanui Tenant
TENANCY ADDRESS:	Unit/Flat 1, 192 Hutchinson Avenue, New Lynn, Auckland 0600

ORDER

1. Victoria Heather Roey Apanui must pay Chantelle Anne Philip And Liam Robert Philip As Trustees Of The Heath Trust $2,747.00 immediately, as calculated in the table below:

Description	**Landlord**
Rent arrears to 21/05/2025	$4,360.00
Filing fee reimbursement	$27.00
Total award	**$4,387.00**
Minus Bond	$1,640.00
Total payable by Tenant to Landlord	**$2,747.00**

2. The Bond Centre is to pay the bond of $1,640.00 (6546890-007) to Chantelle Anne Philip And Liam Robert Philip As Trustees Of The Heath Trust immediately.
3. A further claim for vacated compensation may be filed by the applicant.

Reasons:

1. Only the applicant landlord attended the hearing which took place by teleconference. The tenant was called on numbers provided with no success.

The file records that the tenant has been sent notice of the hearing so the hearing proceeded.

2. This tenancy ended on 25 May 2025 following a 90 day notice to terminate being issued by the landlord.

3. The landlord has applied for rent arrears and bond refund and has provided rent records which prove the amount owing to 21 May 2025. The amount is ordered as sought.

4. The landlord advised that they have a claim for vacated costs but it has taken some time for the work to be completed. They will file a separate application for compensation.

5. Because Chantelle Anne Philip And Liam Robert Philip As Trustees Of The Heath Trust have wholly succeeded with the claim I must reimburse the filing fee.

G Guptill
11 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.