[2025] NZTT 5263304

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Eves Realty Limited as agent for Barbara Wilson

Landlord

RESPONDENT: Edward Guy Hohepa

Tenant

TENANCY ADDRESS: 149A Old Taupo Road, Utuhina, Rotorua 3015

ORDER

1. The tenancy of Edward Guy Hohepa at 149A Old Taupo Road, Utuhina, Rotorua 3015 is terminated, and possession is granted to Eves Realty Limited and Barbara Wilson, at 12.30pm on Monday 15 September 2025.
2. The Bond Centre is to pay the bond of $1,840.00 (3460317-008) to Eves Realty Limited and Barbara Wilson immediately.
3. Edward Guy Hohepa must pay Eves Realty Limited and Barbara Wilson $1,061.28 immediately, calculated as shown in the table below:

Description	**Landlord**	**Tenant**
Rent arrears to and including 15 September 2025.	$2,874.28	
Filing fee reimbursement	$27.00	
Total award	**$2,901.28**	
Bond	$1,840.00	
Total payable by Tenant to Landlord	**$1,061.28**	

Reasons:

1. Ms Erasmus attended the hearing for the landlord which was held by way of video conference. The tenant did not attend. He was phoned on the number provided but the call went to voicemail.
2. The landlord has applied for termination of the tenancy for breach of the tenant's obligations, rent arrears and refund of the bond.

Should the tenancy be terminated?

3. Where a landlord applies to terminate for breach, and rent is at least 21 days in arrears on the hearing date, the Tribunal must terminate the tenancy: sections 55 and 56(2) Residential Tenancies Act 1986.
4. Rent is at least 21 days in arrears at the hearing date. The tenancy is terminated.

How much does the tenant owe?

5. The landlord provided rent records which prove the amount owing at the end of the tenancy.
6. The landlord has been successful in her claims and is therefore entitled to payment of the Tribunal application fee.

R Merrett
15 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.