[2025] NZTT 5302265

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT:	Kāinga Ora–Homes And Communities Landlord
RESPONDENT:	Verotia Rosa Manual Tenant
TENANCY ADDRESS:	34B Station Road, Otahuhu, Auckland 1062

ORDER

1. The tenant must rehouse the dog currently living at the premises by 5.00 pm on Tuesday 7 October 2025.
2. If the tenant fails to comply with order 1 above, then the tenancy at 34B Station Road, Otahuhu, Auckland is terminated and possession is granted to the landlord at 5.00 pm on Tuesday 14 October 2025.

Reasons:

1. Both parties attended the remote hearing on 15 September 2025.
2. The landlord has applied for termination of the tenancy for breach of the tenant's obligations. The tenancy agreement does not allow for the tenant to keep a pet without first obtaining the approval of the landlord. No such approval has been given.
3. The Tribunal may terminate a tenancy for breach where, due to the nature or extent of the breach, it would be inequitable to refuse to terminate. See section 56(1) Residential Tenancies Act 1986.

4. Where a breach is capable of remedy, the landlord must first serve a notice on the tenant requiring them to remedy the breach within at least 14 days and established that the tenant has failed to do so.

5. The tenant has breached her obligation by keeping a dog at the premises. The dog is a medium sized Staffordshire breed called “Mellow Puff Twinkle Toes.”

6. The landlord served a 14 day breach notice on the tenant on 29 May 2025, and the tenant did not remedy the breach within the required period. The landlord provided evidence that the dog remained at the premises as recently as Friday 12 September 2025. The tenant did not dispute that the dog was still living at the premises.

7. It would be inequitable to refuse to terminate the tenancy because of the tenant’s longstanding failure to comply with the tenancy agreement by having a dog. The issue was initially raised with the tenant by the landlord in November 2024.

8. The landlord says that the premises are not suitable for a dog. The premises are one of four units in a complex. There is no green space or fencing at the complex. The neighbours have complained about the presence of the dog.

9. I have no doubt that the dog is loved and well cared for by the tenant. The tenant has made extensive efforts to try and rehome the dog. Unfortunately, those efforts have not been successful.

10. The tenant is given until 5pm on Tuesday 7 October 2025 to rehome the dog. If the tenant fails to rehome the dog by that time, then the tenancy will be terminated at 5.00 pm on Tuesday 14 October 2025 and possession returned to the landlord.

11. The tenant applied for name suppression. The tenant has not been wholly or substantially successful in this hearing and the application for name suppression is dismissed.

THE SEAL OF THE TENANCY TRIBUNAL

S Young
16 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.