[2025] NZTT 5274982

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Baath Rentals Limited As Agent For Akl Homes Limited

Landlord

RESPONDENT: Justine Aroha Rakatairi

Tenant

TENANCY ADDRESS: 16 Cargill Street, Papakura, Papakura 2110

ORDER

1. Justine Aroha Rakatairi must pay Baath Rentals Limited As Agent For Akl Homes Limited $3,372.83 immediately, calculated as shown in table below:

Description	**Landlord**	**Tenant**
Rent arrears to 05/05/2025	$733.04	
Water rates to 05/05/2025	$1,333.79	
Cleaning	$552.00	
Lock/key replacement	$149.50	
Rubbish removal	$3,277.50	
Filing fee reimbursement	$27.00	
Total award	**$6,072.83**	
Bond	$2,700.00	
Total payable by Tenant to Landlord	**$3,372.83**	

Reasons:

1. The applicant attended the hearing by phone. The respondent did not answer when contact was attempted on two numbers.

Background:

2. The applicant states that this tenancy ended on 15 May 2025 by way of a 90-day notice. They say that, a few days before the end date, the respondent requested a two-day extension to complete the move-out. The applicant reports that they agreed to this extension but did not hear further from the respondent.

3. According to the applicant, they inspected the property on 7 May 2025 and found it had been vacated. However, they claim that the premises were not clean, with an extensive amount of rubbish left behind, and that the tenants did not return the keys. The applicant also states that they have been unable to contact the respondent since.

4. The applicant is seeking the following:

   a) Rent arrears of $733.04 to 15 May 2025

   b) Water rates arrears of $1,333.79 to 5 May 2025

   c) Cleaning costs of $552.00

   d) Lock and key replacement costs of $149.50

   e) Rubbish removal costs of $3,277.50

   f) The application filing fee of $27.00

Rent and water rates arrears:

5. The applicant has provided rent and water rates records showing the amounts owing to the end of the tenancy. I am satisfied that these records are correct and have awarded the amounts sought.

Lock replacement:

6. At the conclusion of a tenancy, it is the tenant's obligation, in accordance with section 40(1)(e)(iv) of the Residential Tenancies Act, to return all keys to the landlord. I am satisfied that the respondent did not do so, and that it was appropriate in the circumstances for the applicant to replace the locks. I have therefore awarded $149.50 for lock replacement.

Cleaning and rubbish Removal:

7. At the conclusion of a tenancy, the tenant is required, in accordance with section 40(1)(e)(iii) of the Residential Tenancies Act, to return the property to the landlord in a reasonably clean and tidy state and remove all rubbish. The photos and evidence provided by the applicant show that the property was demonstrably short of this standard. Although the rubbish removal cost appears high, the photographs clearly establish that an extraordinary amount of rubbish had to be removed from the vacated tenancy. I have therefore awarded the cleaning and rubbish removal costs sought.

Application filing fee:

8. Because the applicant has been wholly successful in their application, I have also awarded the application filing fee.

H Ben Fayed
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.