[2025] NZTT 5294759

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANTS:	Jesse Kelly Murray Craig, Levi Joe Gilbert Craig, Korey Joel Craig Tenants
RESPONDENT:	Ai Homes Real Estate Limited As Agent For Xubin Fang And Zhiqin Gu Landlord
TENANCY ADDRESS:	1473 East Coast Road, Redvale, RD 4, Auckland 0794

ORDER

1. The Bond Centre is to pay the bond of $85.54 (5319739-004) to Jesse Kelly Murray Craig, Levi Joe Gilbert Craig and Korey Joel Craig immediately.

Reasons:

1. Both parties attended the hearing, conducted via video/tele conference.
2. The tenant has applied for refund of the bond.
3. This is not disputed by the landlord.
4. There is a prior order TT5159001, dated 29 April 2025, pertaining to this tenancy. That order released the bulk of the bond ($3,717.46) to the landlord. The balance of $85.54 was retained at the Bond Centre.
5. I heard from both parties today. It appears there was some confusion around the time of the previous order. $3,714.46 was released to the landlord by that order but it was not paid by the Bond Centre to the landlord until 23 July 2025. The tenants paid the landlord the same amount shortly after the hearing. That did not prevent the processing of the bond release as ordered.
6. This meant that after the Bond Centre processing was completed and paid to the landlord, the landlord returned to the tenants the $3,714.46 they paid.
7. The remaining $85.54 remained at the Bond Centre but the only impediment to a mutually agreeable release seems to be confusion and potentially this application, lodged on 25 June 2025.
8. This order returns the balance of the bond to the tenants.
9. I make no order regarding the application filing fee. I consider both parties have some responsibility for the progression of this application to a hearing and I leave the cost with the applicants.

M Brennan
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.