**[2025] NZTT 5279265**

**TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA**

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|---|---|
| APPLICANT: | Barfoot & Thompson Limited As Agent For Peters, Ruben And Heather<br><br>Landlord |
| RESPONDENT: | Sara Metcalf<br><br>Tenant |
| TENANCY ADDRESS: | 318 Inland Road, Helensville, RD 2, Helensville 0875 |

## ORDER

1. Sara Metcalf to pay Barfoot & Thompson Limited As Agent For Peters, Ruben And Heather $320.00 from the bond, calculated as shown in table below.

| **Description** | **Landlord** | **Tenant** |
|---|---|---|
| Cleaning | $200.00 | |
| Lawns and Garden work | $120.00 | |
| **Total award** | **$320.00** | |
| Bond | $320.00 | $249.25 |

2. The Bond Centre is to pay the remaining bond of $569.25 (5191862-003) immediately apportioned as follows:

| | |
|---|---|
| Barfoot & Thompson Limited As Agent For Peters, Ruben And Heather: | $320.00 |
| Sara Metcalf: | $249.25 |

**Reasons:**

1. Both parties attended the hearing.

2. The landlord has applied for reimbursement of cleaning, lawnmowing and grounds clearing costs following the end of the tenancy.
3. The tenancy ended on 9 May 2025.

*Did the tenant comply with their obligations at the end of the tenancy?*

4. At the end of the tenancy the tenant must leave the premises reasonably clean and tidy, and remove all rubbish. See section 40(1)(e)(ii)-(v) Residential Tenancies Act 1986.
5. Having viewed the photographs provided by both parties, and heard from the parties, I find that the tenant has not left the premises reasonably clean and tidy.
6. I have moderated the costs awarded to reflect the tenant's obligation to leave the premises to a reasonably clean condition only rather than to a professional standard of cleanliness.
7. In respect of the state of the lawns and grounds, there has been a gap of almost 3 weeks between the end date of the tenancy (9 May 2025) and the date that lawns, weed spraying, strimming & yard clearing being completed on or about 26 May 2025. This gap is factored in my apportionment of costs as set out in the table above.
8. Only the amounts ordered are proved.
9. Most of the bond has been refunded to the tenant already, leaving behind the disputed amounts which I will now disburse to the parties as per my findings above.

THE SEAL OF THE TENANCY TRIBUNAL

J Tam
22 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.

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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.