[2025] NZTT 5301982

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Bayleys Real Estate Limited as agent for Shalabh Bhasin

Landlord

RESPONDENT: Josephine Alofaki, Peter Jaques

Tenant

TENANCY ADDRESS: 99A Potter Road, Dairy Flat, RD 2, Dairy Flat 0792

ORDER

1. The Bond Centre is to pay the bond of $2,720.00 (6293513-007) to Bayleys Real Estate Limited as agent for Shalabh Bhasin immediately.
2. Josephine Alofaki and Peter Jaques must pay Bayleys Real Estate Limited as agent for Shalabh Bhasin $3,778.33 immediately, calculated as shown in table below.

Description	**Landlord**	**Tenant**
Rent arrears to 4 May 2025	$4,874.29	
Electricity (25 May 2024 to 17 January 2025)	$697.04	
Rubbish removal (large items of furniture)	$899.00	
Filing fee reimbursement	$28.00	
Total award	**$6,498.33**	
Bond	$2,720.00	
Total payable by Tenant to Landlord	**$3,778.33**	

Reasons:

1. Only the landlord attended the hearing represented by Anna Zhou. I made two calls to each of the tenants but the calls to Ms Alofaki would not connect. The calls made to Mr Jaques both went to voicemail.
2. I am satisfied that the tenants have been served with the landlord's application in accordance with the requirements set out in the Residential Tenancies Act 1986. The hearing therefore proceeded in the tenants' absence.
3. The tenancy began on 30 September 2023 and ended on 4 May 2025.
4. The landlord has applied for rent arrears, compensation, refund of the bond, and reimbursement of the filing fee following the end of the tenancy.

How much is owed for rent and electricity?

5. The landlord provided rent records showing that the rent was in arrears in the amount of $4,874.29 at the end of the tenancy.
6. The landlord said that there were two properties on the site, being the main house and the tenants' property. Electricity was billed for the main house but a check-meter was installed to the tenants' home.
7. The landlord provided a copy of the electricity invoice, and photos of the check meter on 21 May 2024 and 17 January 2025 together with calculations showing the amount owing of $697.04 and communication with the tenants regarding the payment of this amount.
8. I am satisfied that the amount claimed for electricity was owing at the end of the tenancy.

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

9. At the end of the tenancy the tenant must leave the premises reasonably clean and tidy, remove all rubbish, return all keys and security devices, and leave all chattels provided for their benefit. See section 40(1)(e)(ii)-(v) Residential Tenancies Act 1986.
10. The tenants left behind a number of large items of furniture including two large arm chairs, a long table and chair, a desk, a couch, a mattress and a TV Table, as proved by photos produced by the landlord.
11. The landlord produced an invoice from Junk2Go in the amount of $899 for removal of the items.
12. This claim is proved.

Filing fee and name suppression

13. Because Bayleys Real Estate Limited as agent for Shalabh Bhasin has wholly succeeded with the claim I must reimburse the filing fee.

14. The landlord did not seek reimbursement of the filing fee.

M Allan
24 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.