[2025] NZTT 5320561

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Barfoot & Thompson Limited As Agent For Zhi Yi Hu

Landlord

RESPONDENT: Andre Minnaar, Patricia Minnaar

Tenant

TENANCY ADDRESS: 121A Glendhu Road, Bayview, Auckland 0629

ORDER

1. Andre Minnaar and Patricia Minnaar must pay Barfoot & Thompson Limited As Agent For Zhi Yi Hu $700.00 immediately, calculated as shown in table below.

Description	**Landlord**	**Tenant**
Rent arrears to 3/3/25	$1,035.71	
Water rates to 3/3/25	$389.29	
Filing fee reimbursement	$28.00	
Total award	**$1,453.00**	
Reduced amount sought	**$900.00**	
Payments made by tenants		**$200.00**
Total amount outstanding: tenant to pay landlord	**$700.00**	

Reasons:

1. The landlord attended the hearing represented by Mr Zhao.
2. The tenants did not attend the video hearing and not answer the two calls made to each of their numbers during the hearing. They had been notified of the hearing by email and text and had the hearing link, however did not attend. Accordingly pursuant to section 92 of the Residential Tenancies Act 1986 (RTA) the hearing continued in their absence.

3. The landlord has applied for rent arrears and water rates arrears following the end of the tenancy on 3 March 2025.

4. The landlord provided rent records and water rates invoices which prove the amounts owing at the end of the tenancy.

5. The landlord also explains that they made a settlement offer to the tenants to pay only $900 of the final amounts. The tenants made four weekly payments of $50 to go towards the agreed amount of arrears, but ceased payments in July. Although the offer was contingent upon the tenants making weekly payments and avoiding the need to come to the Tribunal, the landlord wishes to honour their offer.

6. Accordingly, the landlord now seeks an order for the remainder of the settlement amount of $700. This claim has been established in evidence and as such I make the order as sought.

K Lash
17 October 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.