[2025] NZTT 5324749

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT:	Barfoot & Thompson Property Limited as Agent for Mark Jones (JSM Properties Ltd) Landlord
RESPONDENT:	Madeline Puru Tenant
TENANCY ADDRESS:	85C Princes Street, Pukekohe, Pukekohe 2120

ORDER

1. Madeline Puru must pay Barfoot & Thompson Property Limited as Agent for Mark Jones (Jsm Properties Ltd) $462.70 immediately, calculated as shown in table below.

Description	**Landlord**
Lock/key replacement	$331.20
Lock/key replacement: Garage Door	$103.50
Filing fee reimbursement	$28.00
Total award	**$462.70**
Total payable by Tenant to Landlord	**$462.70**

2. The landlord's claim for cleaning costs is dismissed.

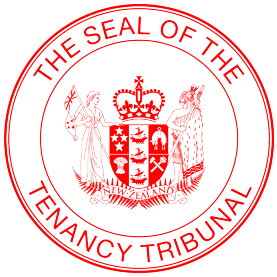
Reasons:

1. A representative of the landlord attended the hearing by the video link provided in the Notice of Hearing. She left during the hearing. I waited on the call for some time for her to rejoin, but she did not. I called both her mobile and office numbers, but calls went to voicemail.
2. The tenant did not join by the video link and did not answer a call to her mobile during the hearing.

3. The landlord has applied for compensation and reimbursement of the filing fee following the end of the tenancy.

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, 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.
5. The landlord claims that the tenant did not leave the premises reasonably clean and tidy and did not remove all rubbish. The landlord provided an invoice for the amount claimed ($912.32). The invoice includes repairs as well as cleaning and maintenance items.
6. The landlord did not provide any photographs to support its claim. A professional landlord should be aware that it has the onus of proving its claims and that photographs from the end of the tenancy are important evidence for a claim for cleaning. The landlord's representative said that a final inspection "would have been done" but she could not access it during the hearing.
7. The landlord sought an adjournment. That was declined. It is incumbent on an applicant to provide the evidence to support its claims. I allowed time during the hearing for the landlord to access the final report and share it through the video link, but the report could not be found. The claim for cleaning is dismissed.
8. The tenant did not return keys or a garage door remote. The landlord provided evidence of the cost of those items. I have made orders for the amounts claimed.
9. As the landlord was partially successful, I have awarded reimbursement of the Tribunal application fee. The landlord was not substantially successful, so I have declined its request for suppression of its details.



R Morgan
28 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.