[2025] NZTT 5318561

TENANCY TRIBUNAL AT [Event location suppressed]

APPLICANT: [The applicant/s]

Landlord

RESPONDENT: SIOSIUA ALBERT MAXLEE SIAKUMI

Tenant

TENANCY ADDRESS: [Tenancy address suppressed]

ORDER

1. An application for suppression has been made in this case, and the Tribunal orders suppression of the [The landlord/s] name and identifying details.
2. SIOSIUA ALBERT MAXLEE SIAKUMI owes [The landlord/s] $4,378.00 (“the debt”).
3. SIOSIUA ALBERT MAXLEE SIAKUMI must pay current rent fortnightly and the debt as follows:
    a. By 2 fortnightly payments of $3,480.00 for the debt from Thursday, 13 November 2025, with a final payment of $898 on 11 December 2025.
    b. Pay the current rent $1,740.00 fortnightly from Saturday, 15 November 2025.
4. Payments will be allocated in the following order: rent, rent arrears, and the filing fee.
5. If the tenant fails to pay current rent and rent arrears within 2 working days of the due dates:
    a. The tenancy at [Tenancy address suppressed] will terminate and the landlord will have immediate possession of the premises.
    b. The balance of the debt will be payable immediately.

6. If the tenant fails to pay the filing fee within 2 working days of the due date, the filing fee will be payable immediately.

Description	Landlord
Rent arrears to 07 November 2025	$4,350.00
Filing fee reimbursement	$28.00
Total award	**$4,378.00**
Total payable by Tenant to Landlord	**$4,378.00**

Reasons:

1. [The landlord's representative] attended the hearing via video conference.
2. Ms Uele attended the hearing via teleconference. She is the mother-in-law of Mr Siakumi. Ms Uele's family and Mr Siakumi live in the same household. I attempted to contact Mr Siakumi but was unsuccessful, as the call went to voicemail. I left a message for Mr Siakumi, advising who I was and the reason for my call.
3. I understand that Mr Siakumi is employed and is not permitted to use his cell phone during work hours. Although Mr Siakumi is the named tenant, it appears that [The landlord's representative] regular contact is Ms Uele. [The landlord's representative] did not raise any concern during the previous hearing on 1 September 2025 or at today's hearing regarding Ms Uele's authority to speak on behalf of Mr Siakumi.
4. Given the family structure and the fact that [The landlord's representative] main contact is Ms Uele, I am satisfied that Ms Uele has sufficient knowledge of the rent arrears and water rates issues before me, and sufficient authority to bind Mr Siakumi.
5. For the purpose of this conditional order, [The landlord's representative] has helpfully agreed to exclude the outstanding water rates, as the primary focus is on clearing the rent arrears before addressing the water rates. As of today, the outstanding balance for water rates is $548.73.
6. The landlord has applied for termination of the tenancy, rent arrears and refund of the bond. The tenant wants to repay the debt to avoid immediate termination.

Should a conditional termination order be made?

7. Where rent is at least 21 days in arrears on the date the application was filed, the Tribunal must make either a final or a conditional termination order. See section 55(1)(a) and (1A) Residential Tenancies Act 1986.

8. Since the last hearing on 1 September 2025, Ms Uele paid $1,740 towards the rent arrears on 2 September 2025, as she had stated she would after the hearing. She also made payments towards the water rates, paying $250 on 8 October 2025 and $100 on 28 October 2025, for a total of $350.

9. As of today, the rent arrears total $4,350, which is equivalent to five weeks' rent.

10. I understand that Ms Uele does not wish for the tenancy to be terminated. She informed me that both Mr Siakumi and her son are employed. If that is the case, in my view, it is a matter of budgeting to ensure they can keep up with their fortnightly rent obligations.

11. Following a discussion with [The landlord's representative], I am grateful to him for agreeing to give Ms Uele additional time to clear the rent arrears by way of a conditional order. Whether this conditional order will assist Ms Uele will depend on her ability to ensure that the rent arrears are paid, bearing in mind her ongoing fortnightly rent obligations.

12. Accordingly, by a fine margin, I am satisfied the tenant will pay the debt within the period specified in the order and is unlikely to commit any further relevant breach. I have granted a conditional termination order.

13. The conditional termination order will lapse if it is fully complied with. If the tenant breaches the order, the possession order may be enforced for 90 days from the first breach. See section 64(4)(b) Residential Tenancies Act 1986.

Filing fee

14. Because [The landlord/s] has wholly succeeded with the claim I must reimburse the filing fee.

Name suppression

15. Because [The landlord/s] has wholly succeeded in proceedings, I have granted name suppression.

M Kan
07 November 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.