[2025] NZTT 5341940

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT:	Barfoot & Thompson Limited As The Agent For Amiria Thompson, Eddie Fretton Landlord
RESPONDENT:	Brady Adams Tenant
TENANCY ADDRESS:	43 Melandra Road, Stanmore Bay, Whangaparaoa 0932

ORDER

1. The tenancy of Brady Adams at 43 Melandra Road, Stanmore Bay, Whangaparaoa 0932 is terminated, and immediate possession is granted to Barfoot & Thompson Limited As The Agent For Amiria Thompson, Eddie Fretton.
2. The Bond Centre is to pay the bond of $3,100.00 (BN-00087650) to Barfoot & Thompson Limited As The Agent For Amiria Thompson, Eddie Fretton immediately.
3. Brady Adams must pay Barfoot & Thompson Limited As The Agent For Amiria Thompson, Eddie Fretton $7,642.29 immediately, calculated as shown in the table below:
4. Barfoot & Thompson Limited As The Agent For Amiria Thompson, Eddie Fretton must take any personal documents belonging to the tenant, that have been left at the premises, to the nearest Police station and obtain a receipt for them.
5. The landlord shall dispose of the other goods left at the premises by the tenant by:
    a. selling all goods with a saleable value by public auction or by private contract at a reasonable market price, and

b. disposing of all goods with no saleable value as the landlord sees fit.

6. The amount owing to the applicant out of the proceeds of any sale is $7,642.29.

7. Barfoot & Thompson Limited As The Agent For Amiria Thompson, Eddie Fretton must pay the proceeds of any sale, less the amount owing, to the Bond Centre together with a copy of this order.

Description	Landlord	Tenant
Rent arrears as at 13 November 2025	$10,714.29	
Filing fee reimbursement	$28.00	
Total award	**$10,742.29**	
Bond	$3,100.00	
Total payable by Tenant to Landlord	**$7,642.29**	

Reasons:

1. This application was scheduled to be heard by video conference. Mr Adams did not connect to the Teams link provided to him and nor did he answer either of the two calls I made to his telephone number. The hearing proceeded in his absence.

2. The landlord has applied for termination of the tenancy, rent arrears, reimbursement of the filing fee and payment of the bond.

3. Rent was at least 21 days in arrears at today's date and so the tenancy is terminated. See section 55(1)(a) Residential Tenancies Act 1986.

4. The landlord provided rent records which prove the amount owing as at today's date - $10,714.29.

5. I note that on 30 October 2025 the landlord undertook an inspection of the property, but only from the outside since Mr Adams was not there. The landlord at that time was unsure whether the property had been abandoned – some big furniture had been removed but also some remained.

6. The landlord emailed the tenant querying whether he had left the premises but did not receive a response.

7. If the property was treated as abandoned, then the landlord would be entitled to 3 weeks rent from the date that the landlord became aware that the tenant had abandoned. In this case that would be 3 weeks from 30 October 2025 – ie to 20 November 2025.

8. However at today's hearing the landlord advised that they only wished at this stage to have an order for rent arrears to today's date.

9. The landlord has also applied for the disposal of goods that the tenant left at the premises at the end of the tenancy.
10. The landlord has been unable to contact the tenant regarding these goods.
11. It is not practicable for the landlord to the return the goods to the tenant. Some of the goods may have a value above the cost of storing, transporting and selling them. The landlord must sell these goods at a reasonable market price.
12. The landlord may deduct any amount owing from the sale proceeds, and must pay the balance to the Bond Centre. See sections 62(3)(b), 62B(2),(3) and (4), 62C(1)(b),(2) and (3) Residential Tenancies Act 1986).
13. The landlord may dispose of any goods that have no saleable value.

C ter Haar
13 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.