TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT:	Barfoot & Thompson Limited As Agent For Singh, Harbhajan Landlord
RESPONDENT:	Ofa Vailagilala and Steve Tagifiaai Valaauina and Uu Vailagilala, Steve Tagifiaai Valaauina, Uu Vailagilala Tenant
TENANCY ADDRESS:	36C Birdwood Avenue, Papatoetoe, Auckland 2025

ORDER

1. Ofa Vailagilala and Steve Tagifiaai Valaauina and Uu Vailagilala, Steve Tagifiaai Valaauina and Uu Vailagilala must pay Barfoot & Thompson Limited As Agent For Singh, Harbhajan $1,535.93 immediately, calculated as shown in the table below.

Description	**Landlord**	**Tenant**
Rent arrears to 09/07/2025	$633.93	
Cleaning/Rubbish Removal	$874.00	
Filing fee reimbursement	$28.00	
Total award	**$1,535.93**	
Total payable by Tenant to Landlord	**$1,535.93**	

Reasons:

1. The applicant attended the hearing by video link. The respondent did not attend or answer the phone.

2. The tenancy ended on the 9th of July 2025. The applicant is seeking rent arrears to this date, compensation for cleaning and rubbish removal costs and the application filing fee.

3. The applicant has provided rent records showing the amount owing to this date. I am satisfied these records are correct. The rent arrears are awarded.

4. The tenant is obliged at the conclusion of the tenancy to return the property in a reasonably clean and tidy state and remove all rubbish per section 40(1)(e)(iii) of the RTA 1986. The photographic evidence shows that the property was well short of this standard and that rubbish was present. The amount sought is reasonable and justified and is therefore awarded.

5. Because Barfoot & Thompson Limited As Agent For Singh, Harbhajan has wholly succeeded with the claim I have reimbursed the filing fee.

H Ben Fayed
19 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.