[2025] NZTT 5362161

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Barfoot & Thompson Limited

Landlord

RESPONDENT: Metua Strickland

Tenant

TENANCY ADDRESS: 7 Ferguson Street, Manurewa East, Auckland 2102

ORDER

1. Metua Strickland must pay Barfoot & Thompson Limited $3,419.47 immediately, being rent arrears as calculated in the table below.
2. The Bond Centre is to pay the bond of $1,560.00 (5559846-003) to Barfoot & Thompson Limited immediately.

Description	Landlord	Tenant
Rent arrears to 8 November 2025	$4,497.14	
Water rates	$454.33	
Filing fee reimbursement	$28.00	
Total award	**$4,979.47**	
Bond	$1,560.00	
Total payable by Tenant to Landlord	**$3,419.47**	

Reasons:

1. Both parties attended the hearing which was conducted by phone.
2. Although the tenancy and application named Leena Katuke as a tenant, the parties confirmed that unfortunately, Leena passed away in 2021. This order is therefore against Metua Strickland only.

3. The tenancy ended on 8 November 2025 as a result of the landlord issuing a 90-day notice.
4. The landlord seeks orders for:
    a. rent arrears
    b. water rates
    c. filing fee
    d. refund of bond
5. The onus of proof is on the landlord. The standard of proof is on the balance of probabilities.
6. The tenant accepted that she owed some rent, but did not think it was as much as $4,497.14. The rent summary provided by the landlord showed that during August 2025, the tenant was in credit, but from 21 August onwards, the tenant paid only $160 a week instead of the weekly amount owed of $600 a week. No payment was made for the final part week. That meant that the rent was $440 per week short, and so over 10 ½ weeks, the rent arrears accrued.
7. The tenant could produce no evidence showing that other payments had been made.
8. The landlord has proved the amount of rent owing.
9. The tenant is responsible for payments for water consumption.[1] The landlord provided copies of invoices from Watercare showing the amount owing for water and waste water consumption, and the invoices the landlord had sent to the tenant for those amounts. The invoices for the tenant's consumption since January this year totalled $549.17. The schedule provided by the landlord showed that the tenant had made payments totalling $94.84, leaving a balance of $454.33.
10. The tenant disputed that she owed that amount. She referred to an order that had been made earlier in the year, saying the landlord had added to that. During the hearing, the earlier order was accessed. It showed that in February 2025 an order had been made by consent for rent arrears. The rent summary showed that amount had been paid.
11. The rent arrears and water rates being sought by the landlord have nothing to do with that order.
12. The tenant said that the amounts in the invoices did not make sense, that they were identical month to month. The records show that in March and in May an identical amount was charged. The landlord thought that was likely because on alternate months the rates are estimated, rather than read.

[1] See section 39 of the Residential Tenancies Act 1986.

13. In any event, the fact remains that the landlord has paid the amounts claimed and is seeking reimbursement. If the tenant disputed the amounts she should have raised that with the landlord and Watercare at the time. The landlord said that if they see a very high bill, they ask the tenant to check for leaks.
14. The landlord has proved the amount owing for water rates.
15. Because Barfoot & Thompson Limited has wholly succeeded with the claim I must reimburse the filing fee.
16. If the tenant has any complaints about the tenancy that cannot be resolved with the landlord she may file an application for the Tribunal to determine them.

T Baker
21 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.