[2025] NZTT 5356686

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: [The applicant/s]

Landlord

RESPONDENT: Victoria Heather Roey Apanui

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 Landlord's name and identifying details.
2. Victoria Heather Roey Apanui must pay [The landlord/s] $3,128.00 immediately, calculated as shown in table below.

Description	Landlord	Tenant
Meth testing/Cleaning: Insurance excess on decontamination costs	$2,500.00	
Exemplary damages	$600.00	
Filing fee reimbursement	$28.00	
Total award	**$3,128.00**	
Total payable by Tenant to Landlord	**$3,128.00**	

Reasons:

1. The landlord attended the remote hearing.
2. The tenant did not attend the hearing. Telephone calls were made to the tenant on the number provided at the allocated hearing time. All calls went to voicemail. The Tribunal may hear matters in the absence of a party where satisfied that notice of the hearing has been given. I am satisfied that notice of the hearing was given to the tenant.

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

Methamphetamine contamination

4. The landlord had arranged for methamphetamine testing to be carried out on the premises at the commencement of the tenancy. Those tests results were negative for methamphetamine contamination.

5. Further testing was conducted at the end of the tenancy. The laboratory results for the discrete testing showed that there was methamphetamine residue in every room tested. Three of the samples exceeded 15 micrograms per 100cm2. The three results exceeding 15 micrograms per 100cm2 were, 37.4, 20.7 and 22.6. That is well above the level of 15 micrograms per 100 cm2 that the Tribunal regards as the level above which there is a significant risk of harm to human health from the contamination.

6. I am satisfied that contamination has occurred during this tenancy. It follows that the tenant is liable for the reasonable cost of decontaminating the premises. The landlord produced documentation showing that the excess on the landlords insurance policy for methamphetamine decontamination is $2,500.00. Contaminating the premises is an intentional act. I consider it reasonable for the landlord to be awarded compensation with regards to the insurance excess.

Exemplary damages

7. A tenant must not use the premises or permit the premises to be used for an unlawful purpose. See section 40(2)(b) Residential Tenancies Act 1986.

8. Breaching this obligation is an unlawful act for which exemplary damages may be awarded up to a maximum of $1,800.00. See section 40(3A)(c) and Schedule 1A Residential Tenancies Act 1986.

9. The use of methamphetamine is an offence against the Misuse of Drugs Act. The tenant has used the premises for an unlawful act.

10. The levels of methamphetamine residue found in the premises indicates that it would not be credible for the tenant to be unaware that they or others were using it in the premises.

11. The consequences of the contamination are serious. There is the substantial cost of decontamination. Where a party has committed an unlawful act intentionally, the Tribunal may award exemplary damages where it is satisfied it would be just to do so, having regard to the party's intent, the effect of the unlawful act, the interests of the other party, and the public interest.

12. An award of exemplary damages is appropriate. The tenant is ordered to pay exemplary limit damages to the landlord of $600.00.

13. As [The applicant/s] has wholly succeeded with the claim, I must order the tenant to reimburse the filing fee.

14. The landlord applied for name suppression. The landlord has been wholly successful in this hearing. Suppression of the landlord's name and details is ordered.

S Young
17 December 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.