TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: [The applicant/s]

Landlord

RESPONDENT: Kim Margaret Scott

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 landlords' names and identifying details.
2. The tenancy of Kim Margaret Scott at [tenancy address suppressed] is terminated, and possession is granted to [the landlords], at 3pm on Monday 22 December 2025.
3. The Bond Centre is to pay the bond of $2,880.00 ([Bond number suppressed]) to [the landlords] immediately.
4. Kim Margaret Scott must pay [the landlords] $4,688.00 immediately, calculated as shown in the table below.
5. This order may be enforced immediately.

Description	**Landlord**	**Tenant**
Rent arrears to 26 December 2025	$7,540.00	
Water rates	$777.68	
Filing fee reimbursement	$28.00	
Total award	**$8,345.68**	
Less bond	$2,880.00	

Total payable by Tenant to Landlord	**$5,465.68**

Reasons:

1. Only the landlord attended the hearing which was conducted by video conference. The tenant did not join the video conference, and a call made to her mobile telephone at the time of the hearing went straight to voicemail. It seems that the tenant is currently serving a sentence of imprisonment.
2. The landlord applied for termination of the tenancy on the ground that the tenant has abandoned the premises.
3. Although the tenant is in prison, and she is not, therefore, occupying the premises, it seems that others, who are connected to the tenant, are occupying them. In those circumstances, it is not clear that the tenant has abandoned the premises. By allowing others to occupy them, she has sought to retain possession of them.
4. But there are substantial rent arrears and so I allow an amendment to the application to add rent arrears as a ground for the application.
5. Rent was at least 21 days in arrears on the date the application was filed. The tenancy is therefore terminated under s55(1)(a) of the Residential Tenancies Act 1986.
6. The landlords provided rent records which prove the amount owing as awarded.
7. The landlords provided invoices to prove the amount of water rates awarded.
8. The landlord has succeeded and so I have awarded them the filing fee.

9. Because the landlords have succeeded, I have granted their request for name suppression.

R Armstrong
22 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.