[2025] NZTT 5370762

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: [The applicant/s]

Landlord

RESPONDENT: Loto Virginia Moresi

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 name and identifying details.
2. Loto Virginia Moresi must pay [The landlord/s] $407.00 immediately, calculated as shown in the table below:

Description	Landlord	Tenant
Rent arrears to 22.12.2025	$379.00	
Filing fee reimbursement	$28.00	
Total award	**$407.00**	
Total payable by Tenant to Landlord	**$407.00**	

Reasons:

1. The landlord attended the hearing by telephone. The Tribunal called the tenant on the cell phone number provided for her in the application but the call went unanswered. I am satisfied that the tenant received notice of the hearing and did not attend.
2. The landlord has applied for rent arrears and reimbursement of the filing fee.

How much is owed for rent?

3. The landlord provided rent records which prove the amount owing at the hearing date. Orders for arrears are made accordingly.

Claim for power charges

4. The landlord also seeks $620.94 for power charges incurred from 5 June to 4 December 2025. However, this claim was not included in the original application. The landlord says that they forwarded a copy of their statement showing the accrued power charges by emailing it to Tenancy Services on 19 December 2025.

5. As I explained in the hearing, the Tribunal can only deal with claims made in the application and a party is not entitled to raise new claims on the day of the hearing. That is because, as a matter of fairness and natural justice, every party is entitled to be fully and fairly informed of the claims against them before the hearing.

6. While the landlord sent through a statement of the power charges on Friday 19 December 2025, they did not email the Tribunal to formally advise that they wished to update and amend their claim to include this matter. They also did not include copies of the individual power invoices sent to the tenant. In any event, I find that this would have been short notice of a new claim. If the landlord wishes to pursue any further claims against the tenant, they will need to bring a new application. For those reasons, I have not dealt with the claim for power charges. However, I would encourage the tenant to contact the landlord to pay what is owed before the landlord is forced to bring another application to recover the amount.

7. As the landlord has succeeded with the claim, they are entitled to suppression of their name and identifying details as requested, and reimbursement of the filing fee.

K Stirling
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.