TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT:	Barfoot & Thompson Limited As Agent For Zhan & Wang Family Trust Landlord
RESPONDENT:	John Kaa, Phillipa Mackinven, Richard Rapata Tenant
TENANCY ADDRESS:	356B Ellerslie-Panmure Highway, Mount Wellington, Auckland 1060

ORDER

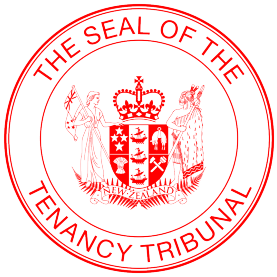
1. John Kaa, Phillipa Mackinven and Richard Rapata must pay Barfoot & Thompson Limited As Agent For Zhan & Wang Family Trust $2,118.03, being rent arrears to 29 January 2026, water rates arrears to 5 December 2025 and the filing fee.
2. The tenant must pay the debt in order 1 as follows;
    - A payment of $1,017.00 on Wednesday 28 January 2026 towards the debt.
    - Payments of $100.00 per week towards the debt.
3. The first payment of $100.00 must be made on Friday 30 January 2026 and payments must continue every Friday until the debt is paid in full.
4. If the tenant fails to make any payment within 2 working days of the due date, the balance of the debt owing will be payable immediately and can be enforced through the District Court.

Description	**Landlord**	**Tenant**

Rent arrears	$1,693.56
Water rates	$396.47
Filing fee reimbursement	$28.00
Total award	**$2,118.03**
Total payable by Tenant to Landlord	**$2,118.03**

Reasons:

1. The landlord and the tenant Phillipa MacKinven attended the hearing.
2. The landlord has applied for termination of the tenancy, rent arrears, water rates and has provided rent records which prove the amount owing.
3. The landlord's application for termination of the tenancy was dismissed as it was defective.
4. The parties consented to the remaining orders being made.
5. No order for payment of future rent is made as the Tribunal cannot order rent to be paid in advance where a conditional termination order has not been able to be made.
6. As Barfoot & Thompson Limited As Agent For Zhan & Wang Family Trust has substantially succeeded with the claim I have ordered the tenant to reimburse the filing fee.
7. The tenant applied for name suppression. The tenant has not been wholly or substantially successful in this hearing and the application is dismissed.



S Young
27 January 2026

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.