[2026] NZTT 5393101

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Point Property And Portfolio Management Limited Acting As Agent For Bewebsol Ltd Paula Folkard

Landlord

RESPONDENT: Ari Raniera Te tau Hemmingson

Tenant

TENANCY ADDRESS: 66 Cargill Street, Papakura, Papakura 2110

ORDER

1. Ari Raniera Te tau Hemmingson must pay Point Property And Portfolio Management Limited Acting As Agent For Bewebsol Ltd $524.49 immediately, calculated as shown in table below.
2. The Bond Centre is to pay the bond of $762.51 (5009954-010) to Point Property And Portfolio Management Limited Acting As Agent For Bewebsol Ltd immediately.

Description	**Landlord**	**Tenant**
Cleaning	$103.51	
Flea treatment	$172.50	
Heat pump remote	$46.99	
Carpet replacement bedrooms 1 and 2 and lounge	$936.00	
Filing fee reimbursement	$28.00	
Total award	**$1,287.00**	
Bond	$762.51	
Total payable by Tenant to Landlord	**$524.49**	

Reasons:

1. This application was scheduled to be heard by video conference. The tenant did not connect to the Teams link provided to him and nor did he ring in to the hearing as required by the Notice of Hearing. The hearing proceeded in the tenant's absence.
2. I note that a mediator's order dated 3 November 2025 distributed part of the bond to cover rent arrears, water chares and the filing fee. There remains $762.51 at the Bond Centre.
3. The landlord has applied for compensation, payment of the remaining bond, and reimbursement of the filing fee following the end of the tenancy.

Did the tenant comply with their obligations at the end of the tenancy?

4. At the end of the tenancy the tenant must leave the premises reasonably clean and tidy, remove all rubbish, return all keys and security devices, and leave all chattels provided for their benefit. See section 40(1)(e)(ii)-(v) Residential Tenancies Act 1986. The tenant is required to replace worn out smoke alarm batteries during the tenancy. See section 40(1)(ca) Residential Tenancies Act 1986. The tenant must also replace standard light bulbs.
5. The photographs show that some cleaning was required at the end of the tenancy to get it to a reasonable standard.
6. I also accept the evidence that there were fleas in the carpet and that the tenant did not return the heat pump remote.
7. The amounts ordered to remedy these issues are proved by invoices.

Is the tenant responsible for the damage to the premises?

8. A landlord must prove that damage to the premises occurred during the tenancy and is more than fair wear and tear. If this is established, to avoid liability, the tenant must prove they did not carelessly or intentionally cause or permit the damage. Tenants are liable for the actions of people at the premises with their permission. See sections 40(2)(a), 41 and 49B RTA.
9. I accept the evidence that a downpipe was damaged during the tenancy and so the tenant is responsible for paying for its repair. That amount was proved with an invoice.
10. I also accept the evidence that during this tenancy the carpets in bedrooms 1 and 2 and the lounge were so stained so as to require replacement.
11. Depreciation has been taken into account when ordering the tenant to pay $936.00 towards the cost of this carpet.

Filing fee reimbursement

12. I am ordering the tenant to reimburse the cost of filing this claim to the landlord because the landlord was wholly successful.

C ter Haar
05 March 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.