[2026] NZTT 5499353

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Barfoot & Thompson Limited

Landlord

RESPONDENT: Samuel Gibbs

Tenant

TENANCY ADDRESS: 3 Panzic Place, Glen Eden, Auckland 0602

ORDER

1. The tenancy of Samuel Gibbs at 3 Panzic Place, Glen Eden, Auckland 0602 is terminated, and possession is granted to Barfoot & Thompson Limited, at **11.59 pm on Wednesday 27 May 2026.**
2. Samuel Gibbs must pay Barfoot & Thompson Limited $5,428.00 immediately, calculated as shown in the table below:

Description	**Landlord**	**Tenant**
Rent arrears to 27 May 2026	$5,400.00	
Filing fee reimbursement	$28.00	
Total award	**$5,428.00**	
Total payable by Tenant to Landlord	**$5,428.00**	

Reasons:

1. The landlord attended the hearing which was held by teleconference. The tenant did not attend. The Tribunal contacted the tenant on the contact number provided in the application but without success. I am satisfied that adequate service of the hearing notice has been completed and considered it reasonable to proceed with the hearing in the tenant's absence.
2. The landlord has applied for termination of the tenancy and rent arrears.

3. Rent was at least 21 days in arrears on the date the application was filed. The tenancy is terminated. See section 55(1)(a) Residential Tenancies Act 1986.

4. The landlord provided rent records which prove the amount owing.

5. As the landlord has wholly succeeded with the claim, I must order the tenant to reimburse the filing fee.

J Setefano
27 May 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.