[2026] NZTT 9077864

TENANCY TRIBUNAL AT NORTH SHORE | TE TARAIPIUNARA RETIHANGA KI ŌKAHUKURA

APPLICANT:	Steven Ho Chung Yang Unit owner
RESPONDENT:	Body Corporate 533375 Body corporate
UNIT ADDRESS:	Apartment 306, 74 Anzac Street, Takapuna, Auckland 0622, Frank Sargeson Apts

ORDER

1. Steven Ho Chung Yang must pay Body Corporate 533375 $125.00 towards Property Cleaning and Maintenance Services' invoice number 2287490 dated 2 February 2026.
2. Steven Ho Chung Yang is not liable to pay any of the balance of the just mentioned invoice.

REASONS:

1. Mr Yang attended the hearing for himself at the North Shore District Court.
2. Matthew Newman, the body corporate's chairperson attended for the body corporate by telephone.

Background

3. The unit owner's property manager had tramped in mud onto the complex's amin lobby, lift and a hallway's carpet.

4. The body corporate's building manager invoiced the body corporate's manager, Strata Titles, $250.00 for the carpet cleaning required to remove the mud.

5. Mr Yang is concerned he was treated differentially from other unit owners and that his property manager was not given the opportunity to carry out the cleaning.

Discussion and decision

6. Rule 7.1.1 of the body corporate rules provides among other things that owners:

> must not leave rubbish, recycling material, dirt or other material on the Common Property except in the Rubbish Storage Area

7. The rule could be more explicit (for example, the rule might say "must not soil or dirty the Common Property"), but it is virtually self-evident that unit owners, their agents, and their tenants must not soil or dirty the common area. Even if there were no written rule, it would be implied.

8. Body corporates must maintain the common property.[1] That duty extends to keeping the common property clean. The body corporate can recover any reasonable expense it incurs to remedy any negligent act or omission of the unit owner to fulfil its duties.[2]

9. There appears to have been a communication breakdown between Mr Yang and Mr Newman which underlies this application.

10. The unit owner's property manager's soiling of the carpet was a negligent act. The body corporate incurred a reasonable expense of $250.00 to remedy the uncleanliness.

11. During the hearing Mr Newman offered to reduce the amount that Mr Yang had to pay to $125.00, which Mr Yang accepted.

12. The Tribunal orders accordingly.

13. Mr Yang would be well within his rights to seek reimbursement from his property manager.

14. There were indications that Mr Yang and Mr Newman can put this matter behind then and communicate more constructively.

[1] Unit Titles Act 2010 s 138(1)(a).
[2] Unit Titles Act 2010 s 127.

15. The Tribunal wishes the parties well in that regard.

R Kee
16 June 2026

Please read carefully:

SHOULD YOU REQUIRE ANY HELP OR INFORMATION REGARDING THIS MATTER PLEASE CONTACT **UNIT TITLE SERVICES 0800 864 884**.

MEHEMA HE PĀTAI TĀU E PĀ ANA KI TENEI TAKE, PĀTAI ATU KI TE TARI **UNIT TITLE SERVICES 0800 864 884**.

AFAI E TE MANA'OMIA SE FESOASOANI E UIGA I LENEI MATAUPU FA'AMOLEMOLE IA FA'AFESO'OTAI'I LOA LE OFISA O LE **UNIT TITLE SERVICES 0800 864 884**.

Rehearings:

You may make an application to the Tenancy Tribunal for a rehearing. Such an application must be made within five working days of the order and must be lodged at the Court where the dispute was heard.

The ***only*** ground for a rehearing of an application is that a substantial wrong or miscarriage of justice has or may have occurred or is likely to occur. Being unhappy or dissatisfied with the decision is not a ground for a rehearing. (See 'Right of Appeal' below).

Right of Appeal:

If you are dissatisfied with the decision of the Tenancy Tribunal, you may appeal to the District Court. You only have 10 working days after the date of the decision to lodge a notice of appeal.

However, you may **not** appeal to the District Court:

1. Against an interim order made by the Tribunal.
2. Against an order, or the failure to make an order, for the payment of money where the amount that would be in dispute on appeal is less than $1,000.
3. Against a work order, or the failure to make a work order, where the value of the work that would be in dispute on appeal is less than $1,000.

There is a $200.00 filing fee payable at the time of filing the appeal.

Enforcement:

Where the Tribunal made an order that needs to be enforced then the party seeking enforcement should contact the Collections Office of the District Court on **0800 233 222** or go to www.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.