[2026] NZTT 5478769

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Fiona And Aaron Bennett For Fab Holdings Limited

Landlord

RESPONDENT: Tania Kaaka

Tenant

TENANCY ADDRESS: Unit/Flat Flat 12, 201 Massey Street, Frankton, Hamilton 3204

ORDER

1. The tenancy of Tania Kaaka at Unit 12, 201 Massey Street, Frankton, Hamilton 3204 is terminated, and possession is granted to Fiona And Aaron Bennett For Fab Holdings Limited, 11.59pm on Sunday 21 June 2016.
2. The Bond Centre is to pay the bond of $1,880.00 (BN-17365014) to Fiona And Aaron Bennett For Fab Holdings Limited immediately.
3. Tania Kaaka must pay Fiona And Aaron Bennett For Fab Holdings Limited $2,648.00 immediately, calculated as shown in the table below:

Description	**Landlord**	**Tenant**
Rent arrears to 18 June 2026	$4,500.00	
Filing fee reimbursement	$28.00	
Total award	**$4,528.00**	
Bond	$1,880.00	
Total payable by Tenant to Landlord	**$2,648.00**	

Reasons:

1. Both parties attended the hearing which was held remotely by video.

2. The landlord has applied for termination of the tenancy, rent arrears and refund of the bond.

Should the tenancy be terminated?

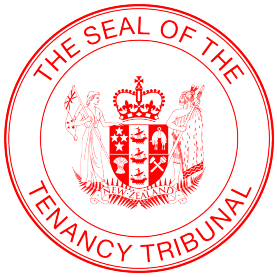
3. Where a landlord applies to terminate for breach, and rent is at least 21 days in arrears on the hearing date, the Tribunal must terminate the tenancy. See sections 55 and 56(2) Residential Tenancies Act 1986.

4. Rent is at least 21 days in arrears at the hearing date. The tenancy is terminated.

How much does the tenant owe?

5. The landlord provided rent records which prove the amount owing at the end of the tenancy.

6. *Reimbursement of the filing fee:* As the landlord is successful in its claim I must award reimbursement of the filing fee.



W Lang
16 June 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.