[2026] NZTT 5491543

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT:	Kāinga Ora–Homes And Communities Landlord
RESPONDENT:	Debby Moana Tausala Tuhimata-Tupou Tenant
TENANCY ADDRESS:	17 Kennelly Crescent, Pukekohe, Pukekohe 2120

ORDER

1. Debby Moana Tausala Tuhimata-Tupou owes Kāinga Ora–Homes And Communities $1,898.35 (“the debt”).
2. Debby Moana Tausala Tuhimata-Tupou must pay rent and the debt as follows:
    a. By 94 weekly payments of $188.00, being $168.00 for rent and $20.00 for the debt.
    b. A final payment of $186.35, being $168.00 for rent and $18.35 for the debt.
    c. Payments will be every Thursday, with the first payment on 02/07/2026 and continuing until 20/04/2028.
    d. In the event that the weekly rent amount is amended during the term of this order, the tenant is required to pay that revised weekly rent sum as part of this order.
3. Payments will be allocated in the following order: rent, rent arrears, and repair costs.
4. **If the tenant fails to pay rent and the weekly debt payment within 5 working days of the due dates:**

a. **The tenancy at 17 Kennelly Crescent, Pukekohe, Pukekohe 2120 will terminate and the landlord will have immediate possession of the premises.**

b. **The balance of the debt will be payable immediately.**

Description	**Landlord**	**Tenant**
Rent arrears	$1,435.00	
Repairs	$463.35	
Total award	**$1,898.35**	
Total payable by Tenant to Landlord	**$1,898.35**	

Reasons:

1. The landlord attended the remote hearing.
2. The tenant did not attend the hearing by Teams video link or by telephone. The Tribunal may hear matters in the absence of a party where satisfied that notice of the hearing has been given. I am satisfied that notice of the hearing has been given.
3. The landlord has applied for termination of the tenancy, rent arrears and compensation for damage. The tenant wants to repay the debt to avoid immediate termination.

Should a conditional termination order be made?

4. Where rent is at least 21 days in arrears on the date the application was filed, the Tribunal must make either a final or a conditional termination order. See section 55(1)(a) and (1A) Residential Tenancies Act 1986.
5. I am satisfied the tenant will pay the debt within the period specified in the order and is unlikely to commit any further relevant breach. I have granted a conditional termination order.
6. The tenant had entered into an arrangement with the landlord to pay for repairs due to damage. The tenant stopped making the agreed payments in January 2026 leaving a balance of $463.35 owing. I have included that sum in the conditional termination order.
7. The conditional termination order will lapse if it is fully complied with. If the tenant breaches the order, the possession order may be enforced for 90 days from the first breach. See section 64(4)(b) Residential Tenancies Act 1986.

S Young
30 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.