[2026] NZTT 5486771

TENANCY TRIBUNAL AT PAPAKURA | TE TARAIPIUNARA RETIHANGA KI PAPAKURA

APPLICANT: Unnati Dharmesh Patel

Landlord

RESPONDENT: Margaret Jane Poletti, Belinda Poletti

Tenant

TENANCY ADDRESS: Unit/Flat Flat 1, 14 Wood Street, Papakura, Papakura 2110

ORDER

1. Margaret Jane Poletti and Belinda Poletti must pay Unnati Dharmesh Patel $793.99 immediately, calculated as shown in the table below.

Description	Landlord	Tenant
Cleaning, rubbish, garden	$1,322.50	
Repairs to walls	$1,500.00	
Water charges to end of tenancy	$103.49	
Filing fee reimbursement	$28.00	
Total award	**$2,953.99**	
Bond	$2,160.00	
Total payable by Tenant to Landlord	**$793.99**	

Reasons:

1. The landlord attended the hearing today.
2. The landlord has applied for outgoings, compensation, refund of the bond, and reimbursement of the filing fee following the end of the tenancy.
3. The application was originally for termination and compensation, but the tenants vacated on 17 May 2026.

4. I have, separately, directed the Bond Centre to pay the bond to the landlord.

Water Charges

5. The landlord provided water invoices and explained that $103.49 remains outstanding. In reliance on the landlord's oral evidence, I award the amount claimed.

Cleaning, Rubbish Removal, Garden Work

6. 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.
7. The tenant did not leave the premises reasonably clean and tidy and did not remove all rubbish. The oven and stove top needed cleaning, and there was rubbish left behind internally and externally. The tenants had paid for a skip bin, but this was full, and the landlord could not use it. The garden needed tidying.

Tenant Damage

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.
9. Where the damage is caused carelessly, and is covered by the landlord's insurance, the tenant's liability is limited to the lesser of the insurance excess or four week's rent.
10. There was damage to the walls in several rooms during the tenancy, to an area of carpet in one of the bedrooms, and to the blinds in the bedroom and lounge. I understood from the landlord that her insurance policy paid for all the damage, but there was an excess of $1,500.00. I award the uninsured loss.
11. The damage is more than fair wear and tear, and the tenant has not disproved liability for the damage.

Filing Fee

12. The landlord is awarded the filing fee.

M Edison
07 July 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.