

TENANCY TRIBUNAL AT Blenheim

APPLICANT: Angela Julie Hood

RESPONDENT: First National Marlborough Limited

TENANCY ADDRESS: 4A Havelock Street, Renwick, Renwick 7204

ORDER

1. Angela Julie Hood to pay First National Marlborough Limited from the bond, calculated as shown in table below.

Description	Landlord	Tenant
Rent arrears	\$114.29	
Vacating costs	\$345.00	
New tenancy costs	\$334.00	
Total award	\$793.29	
Bond	\$793.29	\$806.71

2. The Bond Centre is to pay the bond of (5792356-006) immediately apportioned as follows:

First National Marlborough Limited:

Angela Julie Hood:

3. The term of the fixed-term tenancy of Angela Julie Hood at 4A Havelock Street, Renwick, Renwick 7204 was reduced and ended at 5pm, Friday 29 March 2019 via an interim order.

Reasons:

1. Both parties attended the hearing. Ms Hood joined via teleconference from Porirua District Court.
2. This matter was first heard on 15 March 2019 and an order issued that day that reduced the tenant's fixed-term tenancy for reasons outlined in that order.
3. The matter was adjourned open to allow the landlord to submit actual costs and any final rent arrears so I could make an order, including for the tenant to pay the landlord any reasonable compensation for any resulting loss from this break. See section 66(2) Residential Tenancies Act 1986.
4. At the end of the tenancy there were a final two days rent owing. This amount is \$114.29 and is awarded. An up to date rent summary was provided by the landlord.
5. I award compensation of \$679.00 to the landlord, agreeing with the claimed costs for vacating procedures, advertising, open home and showing costs and new tenant processing. I have only awarded half of the \$115 claimed for admin costs as I consider the full amount unreasonable given the other costs awarded incorporate an admin component, declined the claim for \$57.50 for "keeping the owner informed" as I do not consider any such cost is a reasonable cost here, and even if wrong, consider such informing would have been brief. As foreshadowed at the hearing, I decline the claim for methamphetamine testing on the basis that I am not satisfied there were any grounds to assign such a cost to the tenant, further noting the result of the testing was negative.
6. While Ms Hood struggled to understand the costs involved in breaking a fixed-term tenancy, I consider the costs awarded are reasonable. I further remind Ms Hood, while her circumstances at this time, I believe, justified a reduction in this fixed-term tenancy agreement, the Tribunal is reluctant to interfere with such agreements and she should not consider any reduction is typical and consider her future tenancy agreements accordingly.



M Brennan
03 April 2019

Please read carefully:

SHOULD YOU REQUIRE ANY HELP OR INFORMATION REGARDING THIS MATTER PLEASE CONTACT **TENANCY SERVICES 0800 836 262**.

MEHEMA HE PĀTAI TĀU E PĀ ANA KI TENEI TAKE, PĀTAI ATU KI TE TARI **TENANCY SERVICES 0800 836 262**.

AFAI E TE MANA'OMIA SE FESOASOANI E UIGA I LENEI MATAUPU FA'AMOLEMOLE IA FA'AFESO'OTAI'I LOA LE OFISA O LE **TENANCY SERVICES 0800 836 262**.

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.