

LANDLORD

Application for an Order of the Tenancy Tribunal – Expedited Abandonment

Under Section 91AA of the Residential Tenancies Act 1986

Save time and apply online! Go to tenancy.govt.nz/disputes/tribunal and select “Tenancy Tribunal applications online”

This form is for the landlord(s) to ask the Tenancy Tribunal for an expedited order for possession of an abandoned property. This type of application will be considered without the parties in attendance, and should be sufficient on its own to enable the Tribunal to determine the application.

You should use this form only if you can:

- › provide evidence that you have made reasonable attempts to contact the tenant
- › attach a copy of the tenancy agreement
- › attach a rent summary that provides a rental history from the start of the tenancy
- › provide a contact email address for the tenant.

If you can't provide this information, you may still be able to get possession of your property using the standard tenancy Tribunal application form.

Getting your application processed

- › You are responsible for ensuring that the information you provide is true and correct.
- › Make sure the form is completed as fully as possible. Failure to provide the information requested may mean that the Tribunal is not able to consider your claim.
- › Check the details you provide match what is in your tenancy agreement, where relevant.
- › Write clearly – using a black or dark blue pen.
- › Write all names in full wherever you can. Provide us with the first or given name, any middle names, and the surname or family name. Use the full legal name of any company, as listed on the Companies Register.
- › Provide us with as much information as possible to support your claim.
- › Send copies, not originals, of your supporting documents. Make sure your attachments are clear and easy to read.
- › Attach copies of any other documents that support your application, such as letters and emails.
- › Do not send bank statements with this application.

How to pay for your application

You must pay the application fee before we can process your application.

Find the application fee by:

- › visiting tenancy.govt.nz/disputes/tribunal/making-an-application
- › scanning the QR code below, or
- › calling **0800 TENANCY (0800 836 262)**



Pay the fee by internet or phone banking to:

Account name: **MBIE Dispute Resolution**

Account number: **03 0049 0001346 00**

Reference: **Tenancy address (eg. 10 Smith Ave)**

Code: **Tenancy extended address details (eg. Whangarei)**

Particulars: **Applicant surname and initials (eg. A Brown)**

Enter the date you made the payment in the fields below.

Date payment made: / /
DD MM YYYY

How to send us your application

Once you have completed this application and paid the application fee, send the application and any supporting documents to:
Tenancy Services, PO Box 76 469, Manukau 2241

What happens next

- › After receiving the application, the Tenancy Tribunal will try to contact the tenant to tell them that an abandonment process is happening and check whether they want to contest the process.
- › If the Tribunal is satisfied that the tenant does not want to contest the process and you have provided sufficient information to prove that the property has been abandoned, the Tribunal can make a decision about whether the property has been abandoned without a hearing.
- › This process will be completed within 10 working days after the day on which the application was received.
- › If the tenant wants to contest the process, or the landlord has not provided sufficient information, then the Tribunal will proceed with the normal abandonment process, which will include a hearing at which both parties will have to appear.

You can find more information about the expedited abandonment process and the Tenancy Tribunal process at tenancy.govt.nz

Landlord Application: Information about the tenancy

Please refer to your tenancy agreement when completing this application.

1 You are making an application for expedited abandonment

1A If a Tenancy Tribunal application is already lodged, please tell us the number of the other application. You will find this on the correspondence we have sent you about that application.

Application number

2 Tenancy details – address of the rental property

Room number

Unit/Flat number

Building name

Physical address (Include post code and RD number if applicable)

Rent per week \$

General bond paid: \$

Pet bond: \$

Bond number:

Date tenancy started: / /
DD MM YYYY

3 Applicant details

3A Record landlord identification number here.

You can find this on the receipt you were sent when the bond was lodged for this tenancy.

Landlord identification number

3B Record landlord details here

If you are:

- A Property Management Company – Write the full names of both the property management company and the owner (if appropriate), eg Smith Property Management Limited as agent for Andrew Murray Jones.
 - An Agent acting for the owner – Write your full name and the owner’s full name (if appropriate), eg Mary Christina Zarata as agent for James Paul Harris.
 - An Individual(s) – Write your full name(s) – first name, middle name and surname or family name, eg Paul Robert Smith.
 - A Company – Write the full legal name and the trading name, eg CEL Rentals Limited (legal name) trading as Francis Rentals (trading name).
 - A Trust – Write the full names of the Trustee(s) as well as the name of the Trust, eg Jane Leigh Brown and Mary Sue Brown as trustees for the Brown Family Trust.
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Landlord name

3C Who will be the contact person for this application?

Full name of the person we can contact about this application

Email

Phone

(Mobile)

(Hm)

(Wk)

3D Your address for service

Please write the address for service where we can send you information about this application.

We need a street address and an email address, but we can also send documents to a PO Box.

Room number

Unit/Flat number

Building name

Physical address (Include post code and RD number if applicable)

Postal address (if different from above)

4 Tenant details

Please give us as many details as you can.

Write the full names of the tenant(s) – first or given name, any middle names, then the surname or family name. These should be as they appear on the tenancy agreement, however if they are different please explain why in section 6B.

	First Name	Middle name(s)	Surname or family name
Tenant 1			
Tenant 2			
Tenant 3			
Tenant 4			
Tenant 5			
Tenant 6			

If you need more space, tick this box. Write the information about the rest of the tenants on a separate A4 sheet and attach it to this application. Title it 'Tenant details continued'.

5 Tenant address

We need to know how to reach the tenant(s) to give them the details of this application in writing. For Expedited Abandonment (Possession), you **must** provide an email address for the tenant. Please fill out as much of the contact information and address details section as you can.

Email (mandatory)

Room number

Unit/Flat number

Building name

Physical address (Include post code and RD number if applicable)

Postal address (if different from above)

Phone

(Mobile)

(Hm)

(Wk)

- If you have more than one address for the tenant(s), tick this box and list the other addresses on a separate A4 sheet. Title it 'Tenant addresses continued' and attach it to this application.

6 Tenancy agreement

You **must** attach a copy of the tenancy agreement.

6A Information that differs from the tenancy agreement

The information in this application should match what's on the tenancy agreement. If it does not, please tell us why, and attach copies of any documents you can to support your explanation.

The information in this application is different from what is on the tenancy agreement because

7 If this matter proceeds to a hearing in the Tenancy Tribunal will an interpreter be required?

No. Go to section 8.

Yes

If yes, who needs an interpreter? The landlord The tenant

Tell us the language(s) you need.

Why you want a Tenancy Tribunal order for termination by abandonment

You need to tell the Tenancy Tribunal what you want it to make an Order about, and why. Complete all the parts that apply.

8 You want termination of the tenancy by abandonment

(If known) I believe the tenant abandoned the property without notice on / /
DD MM YYYY

(The property is considered abandoned when the rent is in arrears; there are reasonable grounds to think that the tenant(s) have left and are not intending to come back; and possession has not returned to the landlord. If you have possession of the property, the tenancy is considered vacated and any claims should be made using a standard Tenancy Tribunal application form, rather than this one).

8A Information about the abandonment

This information is **mandatory**. If this information is not provided with the application, the Tenancy Tribunal may not be able to determine the application.

I consider the property to be abandoned because

I have taken the following steps to confirm the property is abandoned

Details of contact with the tenant(s) (date, time, method of contact, etc.)

If you have further documents to support your application, please tick this box and attach the documents.

9 Rent arrears

The tenant owes rent arrears of _____ \$

(There must be rent arrears to apply to terminate the tenancy by abandonment)

You **must** attach a rent summary that clearly shows:

- > the rental history of the tenancy from the start of the tenancy
- > when the rent was due
- > when the rent was paid or not paid
- > a running total of the arrears.

For guidance about how to complete a rent summary, go to tenancy.govt.nz

Please do not send us your bank statements. They do not show when payments were expected or missed, or where payments were made in between.

Release of information

The information provided on this application form and associated supporting documents will be sent to all parties to this matter. If you provide evidence that identifies any third party in circumstances where disclosure of that information might put that third party at risk, you should ensure that you have the consent of that party before providing that information to the Tribunal. Where you do not have that consent, you should remove or redact any information that could be used to identify that third party.

Signed

Date / /
DD MM YYYY

This application and any supporting documents can be posted to:

Tenancy Services, PO Box 76 469, Manukau 2241.

If you need help call **0800 TENANCY (0800 836 262)** or visit tenancy.govt.nz

Correct application fee paid

Checklist

Please tick the relevant boxes to confirm that you have provided the necessary information in your application and you have attached extra documentation that supports your application.

Information about the rental property

I have completed the address of the rental property, and listed the names of the tenant(s).

Your address information

I have provided an address where I can receive information related to this application.

The tenant's address information

I have provided a valid email address where the tenant can receive information related to this application.

Tenancy agreement

I have attached a copy of the tenancy agreement.

Variations from tenancy agreement

If the information in this application is different from the information in the tenancy agreement, I have explained this and, if possible, attached copies of any documents that support the explanation.

Rent summary

I have attached a rent summary from the start of the tenancy.

Steps I have taken to confirm my belief that the property has been abandoned

I have provided supporting information to show the steps that I have taken to confirm my belief that the property has been abandoned.

Details of any contact with the tenant

I have provided supporting information to show details of any contact that I have had with the tenant(s).

Application fee

I have paid the application fee.

Date payment made:

/ /
DD MM YYYY

Privacy statement

All information and evidence provided to the Tribunal by one party will be provided to the other party (unless otherwise directed by a Tenancy Tribunal adjudicator). The Tenancy Tribunal will not perform quality control or filter out evidence before it is provided to the other party.

If you provide evidence that identifies any third party in circumstances where disclosure of that information might put that third party at risk, you should ensure that you have the consent of that party before providing that information. Where you do not have that consent, you should remove or redact any information that could be used to identify that third party.

Information provided in your Tenancy Tribunal application will be held and used by the Ministry of Business, Innovation and Employment and the Ministry of Justice for the purpose of administering the Residential Tenancies Act 1986.

The information you supply may also be used for carrying out customer surveys, public education, and statistical analysis. We may occasionally provide your information to third parties to carry out this work on our behalf or where it is required by law. When providing your information to third parties, we will take all reasonable steps to ensure that they do not use your information for any reason other than the intended purpose.

You can request access to Tenancy Tribunal records by contacting the Tenancy Tribunal at the court location where the case is heard. If your case is heard remotely, by video or telephone call, you can request access to Tribunal records by contacting the Remote Registry.

Contact information is available at justice.govt.nz/contact-us/find-us.

To access or correct your personal information relating to mediation records, please email ويا@mbie.govt.nz.

To correct information in your application before it goes to the Tenancy Tribunal, you can contact Tenancy Services on **0800 TENANCY (0800 836 262)**.

Failure to provide the information requested may mean that the Tribunal is not able to consider your claim.