

LANDLORD

Application for an Order of the Tenancy Tribunal

Under Section 86(1) of the Residential Tenancies Act 1986

Save time and apply online! Go to tenancy.govt.nz/disputes/tribunal

This form is for the landlord(s) to ask the Tenancy Tribunal for an Order to resolve a tenancy dispute with their tenant(s).

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.
- › Fill in all the questions that relate to your claim.
- › 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 a copy of the tenancy agreement if there is one.
- › If you are applying for payment of rent arrears, attach a rent summary that provides a rental history from the start of the tenancy. You can find an example rent summary at tenancy.govt.nz/rent-bond-and-bills/rent/receipts-and-records.
- › If you have served a notice, or the tenant has served you with a notice, attach a copy.
- › Attach copies of any other documents that support your application, such as quotes, invoices, receipts, 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

When we process your application, we will schedule a mediation or Tenancy Tribunal hearing (see explanations below).

You and your tenant will receive notification of the time and location of the mediation or Tenancy Tribunal hearing.

Your landlord will also get a copy of this application and the supporting documents.

Need help?

Visit tenancy.govt.nz or call us on **0800 836 262**.

Mediation

We encourage the parties to try to mediate disputes and to reach an agreement without the need for a Tenancy Tribunal hearing.

Mediation can take place by phone, by video or in person.

A mediator helps you discuss the matter, identify the issues and come up with a workable solution.

Mediators can share information about tenancy issues and the rights and responsibilities of tenants and landlords, but they don't give you their opinion or decide anything for you. You both contribute to your own agreement.

Mediation is a confidential process which is private to the parties. You can ask for the Mediator's Order to be sealed by the Tenancy Tribunal, which means it can be enforced just like an order of the Tenancy Tribunal.

If the parties are unable to reach an agreement at mediation, the matter will be referred to the Tenancy Tribunal for a decision to be made by an Adjudicator.

Mediation is a voluntary process for both parties.

Tenancy Tribunal hearing

Tenancy Tribunal hearings are held at the local court, by video, or by phone. An Adjudicator will make a decision about the matters the landlord and tenant have been unable to settle themselves.

The Adjudicator listens to each party, considers evidence provided and makes a decision that both parties must comply with.

The Tenancy Tribunal Order is public information and may be searched online at forms.justice.govt.nz/search/TT.

You will find more information about mediation and Tenancy Tribunal hearings at tenancy.govt.nz/disputes.

About the information you provide

Information provided in your Tenancy Tribunal application is collected, 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.

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 consent, you should remove or redact any information that could be used to identify that third party.

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

We may occasionally provide your information to third parties to carry out this work on our behalf or where it is required by law.

The information you supply may also be used for carrying out customer surveys, public education, and statistical analysis.

Retention

We will only keep your personal information for as long as it is required for the purposes set out here, or to the extent required by the Public Records Act 2005.

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 oia@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)**

Landlord Application: Information about the tenancy

Please refer to your tenancy agreement when completing this application.

1 Cross application

If you are responding to a Tenancy Tribunal application already lodged by the tenant, 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 <i>(only if applicable)</i> :	Unit number:	
Street number:	Street name:	
Suburb/Town:	Rural delivery number:	
City/District:	Postcode:	
Building name <i>(only if applicable)</i> :		
Rent per week: \$	General bond paid: \$	Pet bond: \$
Bond number:		
Is this a boarding house? <input type="checkbox"/> Yes <input type="checkbox"/> No	Date tenancy started:	<input type="text"/> / <input type="text"/> / <input type="text"/>
		DD MM YYYY

What is the status of the tenancy?

Current Vacated

A tenancy is considered current when the tenant has possession and responsibility for the property. This usually means the tenant has the keys to the property, are (or should be) residing there and the landlord does not have free access to the property. If the tenant has abandoned the property but the possession has not been given to the landlord, you should select "Current".

A tenancy is considered vacated when the tenant has left the property and returned possession to the landlord.

Date tenancy ended *(if applicable)*: / /

DD MM YYYY

3 Landlord details

3A Landlord identification number:

Landlord identification number:

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

3B Landlord type

Select the landlord type that applies to you and provide the relevant details below:

- Property Management Company** – Provide the full legal names of both the property management company and the owner (if appropriate), eg. Smith Property Management Limited for John Bryan Jones.
- Agent acting for the owner** – Provide the full name of the agent and the owner’s full name (if appropriate), eg. Mary Jane Brown for John Bryan Jones.
- Individual** – Provide the full name(s) – first name, middle name and surname or family name, eg. John Bryan Jones.
- Company** – Provide the full legal name and trading name, eg. Smith Limited (legal name) trading as Jones Property Management (trading name).
- Trust** – Provide the full names of the Trustee(s) as well as the name of the Trust, eg. John Bryan Jones as trustee for the Jones Family Trust.
- Social Housing Provider** – Provide the registered name of the social housing provider as recorded in the CHRA register chra.hud.govt.nz

Landlord name:

3C Landlord address for service

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

Room number <i>(only if applicable)</i> :	Unit number:
Street number:	Street name:
Suburb/Town:	Rural delivery number:
City/District:	Postcode:
Building name <i>(only if applicable)</i> :	
PO Box:	Suburb/Town:
City/District:	Postcode:
Email:	

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

Full name of the person we can contact regarding this application.

Name(s):

Email:

Phone	(Mobile)	(Hm)	(Wk)
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4 Tenant details

Please give us as many details as you can.

Tenant names

Provide the full names of the tenant(s). Names should be as they appear on the tenancy agreement, however, if they are different, please explain why in section 6. If the tenant(s) are individual(s), provide their details here; first name, middle name and surname or family name, eg. John Bryan Jones.

	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'.

Social Housing Provider – Provide the registered name of the social housing provider as recorded in the CHRA register chra.hud.govt.nz.

Name(s):

Address:

Postcode:

Email:

Phone

(Mobile)

(Hm)

(Wk)

Guarantor

Tick this box if the other party to this application is a guarantor rather than a tenant, and enter their name and details below:

Guarantor name(s):

Address:

Postcode:


Email:

Phone

(Mobile)

(Hm)

(Wk)

 Attach guarantors' agreement.

5 Address for service of the tenant(s)


We need to know how to reach the tenant(s) to give them the details of this application in writing. The address details we can accept depends on whether the tenancy is current or, if not, how recently it ended. Tick the type of address you are providing from the relevant options below then fill out the address details.

We require a street address, but in addition we can send documents to an email address or PO Box number. Please provide as many of these addresses as you can.


	MY APPLICATION RELATES TO A:		
	Current tenancy	Tenancy which ended less than two months ago	Tenancy which ended more than two months ago
The address I am providing is:			
Tenancy address	<input type="checkbox"/>	<input type="checkbox"/>	
Address given as an address for service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact address given to me by the tenant in writing in the last two months		<input type="checkbox"/>	<input type="checkbox"/>
Address of solicitor or other agent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Address where you know the tenant now lives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tenant address

Room number <i>(only if applicable)</i> :		Unit number:	
Street number:	Street name:		
Suburb/Town:	Rural delivery number:		
City/District:	Postcode:		
Building name <i>(only if applicable)</i> :			
PO Box:	Suburb/Town:		
City/District:	Postcode:		
Email:			
Phone	(Mobile)	(Hm)	(Wk)

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

6 Tenancy Agreement

 Attach a copy of the tenancy agreement if available.

6A If you have not attached a copy of the tenancy agreement, please tick one of these boxes to tell us why:

- The tenancy agreement was made verbally and never written down.
- I have lost the tenancy agreement or I can't get a copy.

6B Information that differs from the tenancy agreement:

The information in this application should match the information in the tenancy agreement. If it does not, please tell us why and attach copies of any relevant documents to support your application.

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

7 Is an interpreter required?

- No. Go to section 9.
- Yes. Who needs an interpreter? Landlord Tenant

Check Connecting Now at connectingnow.com.au/language-list/ to see the languages we can provide an interpreter for.

Tell us the language you need from the list.

8 Suppression request

This section is optional. Select if applicable.

- If this application is wholly or substantially successful, you request that the Tenancy Tribunal orders that your name or identifying particulars not be published. Note: In making this decision, the Tenancy Tribunal will consider whether publication is in the public interest or is justified because of a party's conduct or any other circumstances of the case.

9 FastTrack Resolution

Only complete this section if you want to apply for FastTrack Resolution. You can use FastTrack Resolution if you want to formalise an agreement you have already reached with the tenant, require a Mediator's Order and meet the requirements of the FastTrack Resolution Service outlined at tenancy.govt.nz/disputes/fasttrack-resolution. If you are not applying for FastTrack Resolution, skip this section and go to section 10.

Have you reached an agreement with your tenant?

- Yes. I am opting into the FastTrack Resolution process to formalise an agreement I have reached with my tenant so that it is a legal and binding Order of the Tenancy Tribunal.
- The tenant has been advised to expect contact from a mediator to confirm the details of the agreement.

Have you agreed to termination as a consequence of your agreement?

- Yes. The rent must be at least 21 days in arrears at the time of filing your application; or a 14 day notice to remedy has been served, has not been remedied and has expired.
- No. A monetary order only may apply.

FastTrack Resolution Agreement

FastTrack – Tenant contact details

Phone number provided by the tenant for us to contact them on during the next 48 hours:

The best time of the day for our mediator to contact the tenant is:

FastTrack service is available Mon-Fri from 8.30am to 4pm.

Date this agreement was reached: / /
DD MM YYYY

The agreement was reached: In person By telephone Other *Please provide details:*

FastTrack – Agreed debt

Rent arrears – calculated up to and including the day before the repayment plan begins: \$

Describe any other agreed debt and provide amounts (e.g. water, damages, filing fee):

FastTrack – Description of other agreed debt	Amount
	\$
	\$
	\$
	\$
	\$
Total of agreed debt	\$

FastTrack – Agreed debt

Weekly rent: \$

Agreed extra payment amount: \$

Repayment will be paid: Weekly Fortnightly Monthly

The agreed repayments will be paid in addition to current rent and continue until the debt is paid in full.

Note any additional information regarding the repayment plan here (e.g. lump sum payments):

Repayments will begin on: / /
DD MM YYYY

FastTrack – Consequences

Both parties have discussed, understand and agree that these consequences are fair and reasonable if the agreement is not kept to.

The repayment is due:

- on the due date OR
 - within one working day of the due date OR
 - within two working days of the due date OR
 - Other
-
- The tenancy will terminate immediately and vacant possession will be given to the landlord.
 - The balance of the debt owed will be immediately due and payable, and can be enforced as a monetary order of the Tenancy Tribunal.
-

FastTrack – Confirmation

- Both parties have discussed, understand and agree to the details recorded above.
-

You may now proceed to the checklist on the last page of this application form, attach supporting documents and pay the application fee to complete your application.

What you want the Tenancy Tribunal to order and why


Tell the Tenancy Tribunal what you want it to make an order about and why.

COMPLETE ALL THE PARTS THAT APPLY.


10 Termination of the tenancy

You seek termination of the tenancy because (select from the following):


The rent is at least 21 days in arrears at the date of this application.

 Attach a copy of the rent summary.

A 14 day notice for overdue rent has been served and the rent arrears have not been paid.

 Attach a copy of the 14 day notice issued for rent arrears and complete Section 12.

A 14 day notice for a breach other than unpaid rent has been served and has not been remedied (e.g. not keeping the premises clean and tidy, unpaid damages etc).

 Attach a copy of the 14 day notice issued for the breach other than rent arrears and describe the breach in Section 16.

Termination for abandonment of the tenancy.

The property is considered abandoned when the rent is in arrears, there are reasonable grounds to believe that the tenant(s) have left and are not intending to come back, and the landlord does not have possession of the property. If you have possession of the property, the tenancy is considered vacated.

Date you found the property was abandoned: / /
DD MM YYYY

A notice has been issued to end the tenancy, the tenant(s) remain in possession of the property and you want to terminate the tenancy.


The tenancy agreement has been breached and that breach is incapable of remedy – a 14 day notice has not been issued for this breach.

The tenant(s) are on a periodic tenancy agreement and have displayed anti social behaviour. Three notices have been issued in accordance with section 55A of the Residential Tenancies Act 1986 within a 90 day period, with the most recent issued within 28 days of this application.

Notice 1 issued on: / /
DD MM YYYY

Notice 2 issued on: / /
DD MM YYYY


Notice 3 issued on: / /
DD MM YYYY

 Attach a copy of each of the three anti social behaviour notices.

14 Compensation/Damages

You want the tenant(s) to pay compensation for cleaning, damage to the property caused by the tenant(s) and/or their associates or other costs which are a result of problems with the tenancy.


Description of compensation or damage	Date of damage or date it was discovered	Amount
	/ /	\$
	/ /	\$
	/ /	\$
		Total \$

 Attach copies of any quotes, invoices and receipts to support your claim. Costs may be estimates but you should prepare quotes or invoices for your mediation if they are available.

15 Exemplary Damages

You want to claim exemplary damages because you believe the tenant(s) have committed an unlawful act or acts under the Residential Tenancies Act 1986.


Please describe the unlawful act or acts you believe the tenant(s) have committed.

 Attach any documentation supporting your claim, such as a police report or copies of emails and letters.

16 Other breaches of the tenancy agreement or the Residential Tenancies Act 1986

You believe the tenant(s) have breached their tenancy agreement or the Act in some way not covered by any other section of this application.

Describe how the tenant(s) are in breach of the agreement and/or Act, then complete the box below to tell us the Order you want the Tribunal to make.

 Attach a copy of any notice issued in relation to the breach.


Describe the Order you want the Tribunal to make.

17 Disposal of goods

The tenant(s) have left things behind when they vacated or abandoned the property. I want permission from the Tenancy Tribunal to dispose of the goods.

You may not need a Tenancy Tribunal Order to dispose of abandoned goods. Please read our abandoned goods information sheet and flowchart on our website: tenancy.govt.nz/ending-a-tenancy/abandoned-premises-and-goods/

Description of the items to be disposed of	Estimated value
	\$
	\$
	\$
	\$

-  If you need more space to provide the details of the items for disposal, tick this box and continue on an A4 sheet. Title it 'Disposal of goods continued' and attach it to this application.

18 Order about something else

You want the Tenancy Tribunal to make an Order about something else covered by the Residential Tenancies Act 1986 but not already described in this application (e.g. market rent review, jurisdiction).

Explain what you want and why:

19 Application fee

- If this application is wholly or partly successful, I claim the application fee from the tenant(s).

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

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 address where the tenant can receive information related to this application.
- Tenancy agreement**
I have attached a copy of the tenancy agreement (unless there is no tenancy agreement, it was made verbally or it is lost or inaccessible).
- 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.
- Your dispute and what you want done**
I have clearly described the dispute with the tenant(s) and the Orders I want made to resolve the dispute.
- If you are seeking rent arrears**
I have attached a rent summary from the start of the tenancy.
- If you have issued any written notices to your tenant(s) requiring them to remedy a breach**
I have attached copies of the relevant notices to remedy.
- If you are seeking compensation or damages**
I have attached copies of any quotes, invoices and receipts.
I am not sending any bank statements, but I understand that these may be needed for mediation or a Tenancy Tribunal hearing.
- If you want the Tribunal to order something else**
I have attached copies of any documents that support my claim.
- If you are seeking payment of outgoings e.g. water rates or power bill**
I have attached copies of the relevant invoices relating to outgoings I am claiming.

Application fee

- I have paid the application fee.
- Date payment made: / /
DD MM YYYY