

TENANT

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 tenant(s) to ask the Tenancy Tribunal for an Order to resolve a tenancy dispute with their landlord(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 repayment of overpaid rent, 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 landlord 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 landlord 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 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)**.

Tenant 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.

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 tenancy has not ended, 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 Tenant details

3A Complete all sections that apply. Are you:

A Tenant – provide the full names of all tenants involved in this application. Names should be as they appear on the tenancy agreement, however, if they are different, please explain why in section 6B. *It is important to identify all parties involved in this application. If any tenants are unable to attend then the tenant who attends must provide written authority to act for other tenants.*

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'.

A Guarantor – Provide full name(s) – first name, middle name and surname or family name, eg. Paul Robert Smith.

Guarantor name(s):

Address:

Postcode:


Email:

Phone

(Mobile)

(Hm)

(Wk)

 Attach guarantors' agreement.

A 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)

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

Provide the full name of the person we can contact regarding this application; first or given name, any middle names, then surname or family name. *If the named contact person is acting on behalf of the tenant, please attach an Authority to Act.*

Name(s):

Email:

Phone

(Mobile)

(Hm)

(Wk)

3C Tenant address for service

Provide your address for service where we can send you information about this claim, even after the tenancy has ended. We need a street address, but in addition we can send documents to an email address, or PO Box number (*see additional text boxes over page*).

Room number (*only if applicable*):

Unit number:

Street number:

Street name:

Suburb/Town:

Rural delivery number:

City/District:

Postcode:

Building name (*only if applicable*):

PO Box:

Suburb/Town:

City/District:

Postcode:

Email:

4 Landlord details

Who is the landlord? (Select the appropriate box)

The landlord is:

- A 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.
- An 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.
- An Individual** – Provide the full name(s) – first name, middle name and surname or family name, eg. John Bryan Jones.
- A Company** – Provide the full legal name and trading name, eg. Smith Limited (legal name) trading as Jones Property Management (trading name).
- A 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.
- A Social Housing Provider** – Provide the registered name of the social housing provider as recorded in the CHRA register chra.hud.govt.nz

Landlord name:


5 Landlord Address for Service

We need to know how to reach the landlord to give them details of this application in writing. This may be the address given on the tenancy agreement, or the landlord may have since given you a different contact address.

We need a street address, but in addition we can send documents to an email address or PO Box number. Please give us as many of these addresses for service as you can.

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)

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 8.
- 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.
-

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.


9 Bond refund

The tenancy has ended, and I would like my bond refunded \$ _____

I no longer have a pet, and I would like my pet bond refunded \$ _____
(If you have not paid a pet bond, please leave blank)

Learn more about claiming bond money at tenancy.govt.nz/refunding-a-bond

Describe the dispute with the landlord about the bond:


 If you need more space, tick this box. Write the explanation on a separate A4 sheet and attach it to this application. Title it 'bond and money refund continued'.

10 Work order


Complete if: I want the Tribunal to issue a work order to have the landlord repair or maintain something.

Description of damage or required maintenance	Cost of repair, if you know it (\$)	Date of damage or date it was discovered
		/ /
		/ /
		/ /
		/ /
		/ /
		/ /
		/ /
		/ /
		/ /
		/ /

Describe the steps you have taken to contact the landlord about this:

 Attach copies of any letters and emails you have sent to the landlord to tell them about this and copies of any quotes or estimates if you have them.


If you have issued a 14 day notice to remedy to the landlord, please attach a copy.

 If you need more space, tick this box. Write the explanation on a separate A4 sheet and attach it to this application. Title it 'work order continued'.


11 Healthy Homes Standards

Complete if: I believe the landlord has not complied with the Healthy Homes Standards. The Healthy Homes Standards introduce specific and minimum standards for heating, insulation, ventilation, moisture and drainage, and draught stopping in rental properties.

Describe the standards you believe the landlord has not complied with:

 Attach copies of any letters and emails you have sent to the landlord to tell them about this and copies of any quotes or estimates if you have them.

If you have issued a 14 day notice to remedy to the landlord, please attach a copy.

 If you need more space, tick this box. Write the explanation on a separate A4 sheet and attach it to this application. Title it 'Healthy Homes Standards continued'.


12 Release or reduction of a fixed-term tenancy

Complete if:

- Your circumstances have changed unexpectedly and you will face severe hardship if the fixed-term tenancy continues.
- My landlord has failed to comply with a 14 day notice and it would be inequitable to refuse to terminate the tenancy.

Tell us the date the fixed-term tenancy is due to end / /
DD MM YYYY

Provide a brief description of why you want to be released from the tenancy:

 If you need more space, tick this box. Write the explanation on a separate A4 sheet and attach it to this application. Title it 'release from a fixed-term tenancy continued'.

13 Compensation

Complete if:


You want the landlord to pay total compensation of: \$

Examples of compensation you could claim include:

- › You are seeking reimbursement for repairs or maintenance that are the landlord's responsibility.
- › You have not been able to use a bedroom for a month because of a leaky roof, but have paid your rent in full and you want part of your rent refunded or reduced.

In the box following on the next page, please list each item that you are seeking compensation for, with a dollar value for your claim for each item.


Describe the problem and the steps you have taken to tell the landlord about it:

 Attach any documentation that supports your claim such as quotes, invoices, calculations, receipts, reports, emails or letters.

14 Exemplary Damages

Complete if: I want to claim exemplary damages from the landlord, as a result of them performing an unlawful act or acts under the Residential Tenancies Act 1986 (eg. the landlord has not lodged the bond within 23 working days of receiving it).


Please describe how you believe the landlord has breached the Residential Tenancies Act and the effect it has had on you:

 Attach any documentation that supports your claim such as a dated bond receipt from the landlord, emails, letters or a timeline of events.

15 Order about something else

Complete if: I want the Tenancy Tribunal to make an order about something else covered by the Residential Tenancies Act 1986 but it is not already described in this application (for example, invalid notice, market rent review, jurisdiction, pet consent).

Explain what you want and why:

 If you need more space, tick this box. Write the explanation on a separate A4 sheet and attach it to this application. Title it 'other orders continued'.

16 Application fee

If this application is wholly or partly successful, I claim the application fee from the landlord.

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

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
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 tenants and the name of the landlord.

Your address information

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

The landlord's address information

I have provided a valid address where the landlord 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 landlord and the Orders I want made to resolve the dispute.

If you are seeking a work order to make the landlord repair or maintain something

I have attached copies of any 14-day Notice to remedy and/or letters and emails I have sent to the landlord to tell them about this.

If you are seeking refund of rent

I have attached a rent summary that demonstrates when the rent was overpaid.

If you are seeking compensation or damages

I have attached copies of any quotes, invoices and receipts, and copies of any 14-day Notice to remedy and/or letters and emails to the landlord that support my claim.

I am not sending any bank statements, but I understand that these may be needed for mediation or Tenancy Tribunal hearing.

If you want the Tribunal to order something else

I have attached copies of any documents that support my claim.

Application fee

I have paid the application fee.

Date payment made: / /
DD MM YYYY