



Abandoned goods

Sometimes a tenant moves out and leaves some things behind. It may seem like rubbish, but some valuable items may have been left by mistake, forgotten or left to be picked up later.

The problem

It can be difficult to judge if the things left behind are rubbish or something of value. Landlords might be tempted to discard it all – especially if there is a new tenant waiting to move in. Simple rules should be followed to protect the landlord and tenant in these situations.

What can the landlord do?

If you can contact the tenant, ask them to collect the items. If you give them a reasonable timeframe, this may resolve the issue.

If you have legal possession of the property, you can discard any food or perishable goods.

You should safely store any other items and make an application to the Tenancy Tribunal for help. The Tenancy Tribunal can issue an order for you to dispose of the items left behind.

Why do I need an order?

Having an order protects you against any claims made later that you stole the goods.

What can the Tribunal order?

The Tribunal can order for the goods to be:

- disposed
- returned to the tenant or
- sold by the landlord.

The Tribunal can also order that the proceeds from the sale of the goods be used to offset any claims that the landlord may have against the tenant.

What happens to the money?

Any money made from selling abandoned goods must be paid to the Department of Building and Housing, PO Box 50-445, Porirua.

If the Tribunal orders that the tenant should pay some money to the landlord, and the bond does not cover this, the money from the abandoned goods can make up the difference.

Any remaining money can be claimed by the tenant within a year. Remember to send the money in by cheque and to include a copy of the Tribunal Order so that the Department knows what the money is for and can issue payment the Tribunal has ordered.



What about the bond?

If you incur a cost in selling or disposing the abandoned goods, you can ask to be refunded from the bond. You may need to apply to the Tenancy Tribunal to claim the money from the bond.

Where can I find more information?

For tenancy advice and information call 0800 TENANCY (0800 83 62 62), visit our website www.dbh.govt.nz or email us at info@dbh.govt.nz