



Making a Tenancy Tribunal application for repairs

What should I do if repairs are needed?

Contact your landlord if repairs or maintenance is needed. The landlord should arrange to complete the repairs in a reasonable timeframe.

If your landlord does not complete necessary or urgent repairs in a reasonable timeframe, you can issue them a 14 days' notice asking them to carry out the work within 14 days. A template for issuing notice can be found online at <http://www.dbh.govt.nz/tenancy-pub-sorting-out-problems>.

If the landlord does not carry out the repairs, you can apply to the Tenancy Tribunal for help.

How to make an application

Save time and apply online

You can make an application online at www.dbh.govt.nz by selecting 'Tenancy Tribunal application online' and paying the \$20.44 application fee with your Visa or Mastercard.

You can also complete a paper form and send it by mail to PO Box 50546 Porirua, fax it to 04 237 1058, or email it to ttapplications@dbh.govt.nz.

You can pay the application fee:

- at any Westpac bank by eftpos, cash or cheque (payable to the Department of Building and Housing).
- by eftpos only at our Auckland, Manukau, Hamilton, Wellington or Christchurch offices.

Check out the information sheet '*Making an application for an Order of the Tenancy Tribunal: information for tenants*' at <http://www.dbh.govt.nz/tribunal-info-for-tenants> for more information about how to make an application to the Tribunal.

Completing the Tenancy Tribunal application form

To avoid delay, make sure you complete all sections of the Tenancy Tribunal application form. You will need to provide details of the tenancy as well as contact details for the landlord and the tenant.

You will also be asked to specify the orders you want the Tribunal to make. Tick the box for **Work order (repairs/maintenance required)**.

You can ask for an order for **Compensation** if you feel the failure to do repairs has disrupted the normal day-to-day use of the tenancy, or is affecting the health, safety and security of the occupants. You will need evidence to support this.

If you are applying for **Compensation**, you need to state what type of compensation you are requesting. You must also provide an itemised list of the amount(s) you are claiming in relation to losses you have incurred. You will need evidence to support this.

The Tribunal may award **exemplary damages** up to \$3000 if the landlord fails to comply with their obligations regarding cleanliness and maintenance of the premises or requirements under other laws regarding building, health and safety of the premises.



For more information about common Orders applied for by tenants refer to the explanatory notes on the application form.

The application form asks you to state the reason for your application. Make sure you include:

- the repairs/maintenance required (e.g. hot water cylinder broken, shower broken, etc).
- the date you asked the landlord to complete the repairs/maintenance.

For example: **Work order – repair damages**

- I have notified my landlord [name] on three occasions that the stove is not working.
- I wrote on [date] and have called to remind him twice since. I want the stove fixed.

If you have reached an agreement with your landlord include the details. Use bullet points as shown in the example.

Supporting documents to provide with your application:

It is **very important** that copies of the following documents are provided:

- **Tenancy agreement.** If there was no written tenancy agreement for the tenancy, please note this on your application.
- A copy of correspondence you have had with the landlord about the repairs/maintenance issue.
- A copy of any **14 days' notice to remedy** sent to the landlord.

Other documents may also be required to support your application. This may include:

- the property inspection report,
- water, power and phone bills,
- police reports,
- previous tribunal orders relating to the tenancy,
- invoices quotes (although invoices will need to be provided at your tribunal hearing)
- letters from the landlord.

Supporting documents must be on A4 sized paper, clear, easily read and one sided as they will be scanned and/or photocopied.

Please do not attach original documents or photographs when filing your application. If these are relevant to your application you can bring them to mediation or the Tribunal hearing.

Avoid delays – make sure your application is complete

You can help us when you fill out an application form by taking the time to make sure all the details are entered clearly and correctly and you include all supporting information. If you do this your application will not be delayed or withdrawn.

If we check your application and ask you to supply further details, you have five working days to do so or your application may be withdrawn. Taking a bit of extra time to check things over can save you time and cost in the long run.

If you need help call **0800 TENANCY (0800 83 62 62)**.

Where can I find more information?

For more information contact the Department of Building and Housing on 0800 TENANCY (0800 83 62 62) or visit www.dbh.govt.nz