



The Tenancy Tribunal

What is the Tenancy Tribunal?

The Tenancy Tribunal is established under the Residential Tenancies Act 1986. It decides on problems that landlords and tenants can't solve themselves.

At a Tribunal hearing, a tenancy adjudicator listens to each person, hears any witnesses, looks at any evidence presented and then makes a decision.

The adjudicator writes down their decision as a Tribunal order. The adjudicator's decision is like a court order and both sides must obey it. These orders are public information and are published on www.tenancytribunal.govt.nz and available from the District Court where the order was made.

The Tenancy Tribunal works in public. Both landlord and tenant can take support people with them, but it is unusual to be represented by lawyers.

How can I make an application to the Tenancy Tribunal?

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*' at <http://www.dbh.govt.nz/pub-sorting-out-problems#tenancy-info-making-an-application> for more information about how to make an application and what information you need to provide when applying.

Do I have to attend the hearing?

Yes, you must attend the hearing. If you are the applicant and do not appear, the application may still be heard in your absence, adjourned or even dismissed. If you are the other party and do not appear, your view will not be heard and the Tribunal will still be able to make an order, which means the tenancy may be terminated in your absence or you may have to pay money to the other party.

If neither party appears, the Tribunal would only determine the matter if it was satisfied it has all the written information needed to do so.

After you apply, the Department of Building and Housing will send a notice of hearing. The notice will contain details about the dispute and the hearing date, time and location.



What happens at the Tenancy Tribunal?

Both landlord and tenant tell their story. The applicant will be asked to explain their story first. You may find it useful to write down all the facts so you can present them briefly and clearly. You may be questioned by the adjudicator and the other party.

If you have witnesses, they can be called to give evidence. If your witnesses are unable to attend, contact the Ministry of Justice to discuss special provisions. Unsworn statements or letters from witnesses might be admitted as evidence but may not carry as much weight.

The adjudicator will listen to the witnesses, analyse the evidence presented, and then make a decision. You may be given a copy of that decision immediately or one will be posted to you.

What do I take to the hearing?

You need to present any evidence that supports your claim. It is a good idea to have two extra copies of all evidence ready for the adjudicator and the other party. If you are the applicant, you should have provided copies of relevant documents (such as the Tenancy Agreement, rent summary, 14 days' notices, or other correspondence) with your application. Take your original documents, along with any supporting evidence, to the hearing.

Other supporting evidence may include such things as tradesperson quotes, bank statements, accounts, inspection reports, rent book, photographs or letters.

If you are planning to bring any witnesses, make sure you let the Department of Building and Housing know in advance so they can advise the court. Your witnesses will need to wait outside the courtroom until they are called to give their evidence. If someone refuses to come, you can ask the Ministry of Justice for a Witness Summons so they have to come. You can have a friend or family member with you for support, but if they are in the courtroom with you they cannot be a witness or say anything.

When will I get a decision?

In many cases, if the decision is simple and straightforward, you will get a decision immediately after the hearing. Otherwise, the decision must be written up by an adjudicator and will be posted out to you as soon as possible.

What happens if people don't obey the Tribunal Order?

Tenancy Tribunal orders can be enforced by the bailiffs. If you need help enforcing an order, contact the Collections Unit of the Ministry of Justice or read about your options in the brochure '*Enforcing a sealed mediator's order or Tenancy Tribunal order*' available at www.dbh.govt.nz

What happens if things get sorted out before the hearing?

Please contact the Department of Building and Housing on 0800 TENANCY (0800 83 62 62) immediately if your dispute gets resolved, so that we can use the hearing time for someone else.

If though the tenancy hearing is within the next 5 days please contact the relevant District Court to advise them. You can locate the contact details for the relevant District Court at <http://www.courtsofnz.govt.nz/district/district/the-courts/map>

Tenancy Tribunal locations

The following is a list of places in which the Tenancy Tribunal sits. For specific contact information for these courts, please refer to the Ministry of Justice website at <http://www.courtsfnz.govt.nz/district/district/the-courts/map>

Kaitaia	Wairoa	Palmerston North
Kaikohe	Gisborne	Porirua
Whangarei	TeKuiti	Lower Hutt
Waitakere	Taumarunui	Wellington
Auckland	Rotorua	Nelson
North Shore	Tokoroa	Blenheim
Manukau	Taupo	Greymouth
Pukekohe	Napier	Christchurch
Huntly	Hastings	Timaru
Hamilton	New Plymouth	Dunedin
Thames	Hawera	Queenstown
Tauranga	Wanganui	Invercargill
Whakatane	Masterton	

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

For more information about the Tenancy Tribunal, visit <http://www.justice.govt.nz/tenancy-tribunal/index.html>