



## Advice from Alan The Tenancy Tribunal

*by Alan Knowsley, consultant, Rainey Collins Lawyers*

The Tenancy Tribunal deals with issues between landlords

and tenants or between unit owners and the body corporate.

Applications to the tribunal can be completed online. Applicants need a RealMe login and electronic copies of documents to be uploaded. It is possible to apply on paper by using the latest application form.

The tribunal can offer mediation as part of the process. Mediation is voluntary and any outcome is by agreement. If an agreement is reached, the parties can apply for a fast-track resolution which makes a formal order about what is agreed.

If no settlement is achieved or mediation is not agreed to, the tribunal will schedule a hearing of the claim. It normally takes a few weeks for a hearing date.

You need to prepare for the tribunal hearing by getting your evidence sorted, which might include quotes, invoices, emails, and other relevant documents.

You should also prepare a chronology of events and what you want to say at the hearing. The parties are normally self-represented and can only have a lawyer present at their case if the claim is for more than \$6000, the other side agrees, the tribunal considers the case to be complex, or fairness dictates that a lawyer or representative should be allowed. It is possible to raise a cross claim if you have a counter claim. These will normally be heard at the same time.

You need to attend the hearing and present your case and have your witnesses there to give evidence. It may be possible to attend by audiovisual link, but you would need to apply in advance.

The tribunal can make an order after hearing the parties and considering the evidence. If an order is not complied with, it can be enforced through the Ministry of Justice Collections Unit. You can apply for civil enforcement if you are not paid in accordance with the tribunal order. It is also possible to enforce orders for possession of the property, to evict a tenant, and to seize and sell property to pay the order.