

26 November 2024

s 9(2)(a)

Thank you for your email of 29 October 2024 to Kāinga Ora – Homes and Communities, requesting the following information under the Official Information Act 1982 (the Act):

Can you tell me how many (tenants) went to the Tribunal in (each) financial year, and what the complaints were and what the results were?

2022-23

2021-22

2020-21

2019-20

This follows on from your previous request of 18 September 2024 for the following information:

Can you tell me how many [Kāinga Ora tenant cases] went to the Tribunal in the latest financial year, and what the complaints were and what the results were?

Kāinga Ora can provide the information requested for the month of June 2022, and the 2022/23 financial year. Information prior to June 2022 was not centrally recorded and would be kept on individual tenancy files. An investigation into each file would be required to determine any relevant details of Tribunal cases or outcomes. Therefore, I am declining this part of your request under section 18(f) of the Act, as “the information requested cannot be made available without substantial collation or research”. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether Kāinga Ora would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, our ability to undertake this work would still be prejudiced.

The remainder of the information you requested is below. Please note that due to the duration of the Tribunal process, some applications were still in progress at the end of the financial year, and did not yet have an outcome. This data is based on manual entry and there will be a margin of human error in the data provided.

Kāinga Ora applications or Tenancy Tribunal or mediation – June 2022 to 30 June 2023

Reason	Description	June 2022	July 2022- June 2023
Abandonment and non-occupation	Applications made to terminate the tenancy and obtain possession due to the tenant no longer residing in the tenancy	1	110

Reason	Description	June 2022	July 2022-June 2023
Access	Applications seeking an order requiring the tenant to allow landlord access to the property, for reasons including completing inspections, checking for compliance, conducting maintenance	1	17
Damages	Applications seeking establishment of costs associated with damage repairs	18	83
Disposal of goods	Applications seeking authority from the Tribunal to dispose of former customers possessions following a tenancy ending	-	16
Disruptive behaviour	Applications seeking termination and possession of the tenancy due to the tenant engaging in disruptive behaviour	-	-
Pets	Applications seeking the removal of pets	-	1
Possession	Applications seeking possession of the property after the tenancy has been terminated, but an individual remains in the property	-	6
Property condition and work orders	Applications seeking action be taken to address concerns with the condition of the property	-	9
Rent arrears	Applications to address nonpayment of rent	34	1,392
Other	Applications made for miscellaneous or multiple reasons, for example Financial Assessment Hearings at the District Council	-	32
Total		54	1,666

Note: The table shows the primary reason for the application. Any secondary reason(s) are not included.

Outcomes of Tenancy Tribunal applications – June 2022 to 30 June 2023

Outcome	Description	June 2022	July 2022-June 2023
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Dismissed and notice set aside	The application was dismissed by the Tribunal or set aside due to the two parties coming to a mutual agreement not requiring an Order from the Adjudicator	4	102
Monetary award	Outcome awarding a calculated repayable debt figure to Kāinga Ora	42	1,085
Termination	An Order awarding the termination of the tenancy	-	111
Work order	An Order requiring remedial action to be taken	2	129
Total		48	1,427

Our frontline teams are making earlier and more frequent use of the tools available to us as a landlord to resolve tenancy challenges like unpaid rent, damage, disruptive behaviour and abandonment. The increase in our use of Tenancy Tribunal over the last two years reflects this.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

Please note that Kāinga Ora proactively releases our responses to official information requests where possible. Our response to your request may be published at <https://kaingaora.govt.nz/publications/official-information-requests/> with your personal information removed.

Yours sincerely



Nick Maling
General Manager National Services