



## Rent behind more than 21 days?

### Making an application to the Tenancy Tribunal using Section 55

If your tenant's rent is more than 21 days in arrears, you can apply to the Tenancy Tribunal for help under section 55 of the Residential Tenancies Act 1986 (RTA).

As soon as you become aware of unpaid rent, you should contact the tenant to advise them the payment has been missed and discuss arrangements to pay. If the rent is more than 21 days in arrears you should file a Tenancy Tribunal application immediately.

### Completing the Tenancy Tribunal application form

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

You will also be asked to specify the orders you want the Tribunal to make. **Tick the box for rent arrears.**

Under section 55, you can also request the Tribunal issue an order to:

- terminate the tenancy if the arrears are not paid
- release the bond if the arrears are not paid.

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

- rent is in arrears by more than 21 days
- when the rent arrears began
- amount of rent that is owed (do not include rent in advance).

The arrears cannot include any money due for rent beyond the date your application is lodged.

### Other information to include with your application

- A copy of your Tenancy Agreement
- A rent arrears summary clearly showing the missing rent payments.

You can find rent summary templates on the Department's website, [www.dbh.govt.nz](http://www.dbh.govt.nz)

### Submitting your application

You can make an application online at [www.dbh.govt.nz](http://www.dbh.govt.nz) and pay the \$20 application fee with a Visa or MasterCard.

You can also complete a paper application form and send it by:

- mail to PO Box 50546, Porirua
- fax to 04 237 1058 or
- email to [ttapplications@dbh.govt.nz](mailto:ttapplications@dbh.govt.nz)



You must pay the \$20 application fee before submitting your application. You can pay at any Westpac branch (by eftpos, cash or cheque) or at the Department of Building and Housing in Auckland, Manukau, Hamilton, Wellington or Christchurch (eftpos only).

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