

Order of the Tenancy Tribunal

Unit Titles Act 2010

Office of the Tenancy Tribunal

Tenancy Tribunal at Auckland

Unit Title Address

Suite 13H, Victopia, 135 Victoria Street West, Auckland Central, Auckland 1010

Applicant

Full Name	Address
Kazufumi Ikeda Unit Owner	PO Box 91755, Victoria Street West, Auckland 1142

Respondent

Full Name	Address
Body Corporate 346799	Floor 7, Southern Cross Building, 61 High Street, Auckland Central, Auckland 1010

Order of the Tribunal

The Tribunal orders

1. On or before 22 November 2016, Body Corporate 346799 (through its agent Body Corporate Administration Ltd) will provide to Mr Ikeda body corporate committee meeting minutes from 2011 to 2016.
2. On or before 22 November 2016, Body Corporate 346799 will provide to Mr Ikeda all available legal and consultants invoices from Grimshaw & Co, Maynard Marks Property Consultants Ltd, Babbage Consultants Ltd, Aecom Ltd (and other experts engaged by the body corporate in the litigation and for the section 74 scheme purposes) and Buddle Findlay.
3. Any annual statements of account from May 2011 that Mr Ikeda does not have (and notice by Mr Ikeda will be given by 3 November) to be provided to him on or before 22 November 2016.
4. The reasonable costs of the provision of such documents by BCA Ltd will be paid by Mr Ikeda with charges per hour being no more than \$85 per hour for the employee attending to the task and \$150 per hour for the supervision costs of Ms Beaton.

S Benson



5. Both parties reserve the right to bring an application for legal costs (if appropriate). The respondent to the application for costs (or seeking costs themselves) to file memorandum / submissions seven days from receipt.

(Unit Titles Act 2010, section 171(3A), 176)

(Residential Tenancies Act 1986, section 78)

Reasons

[1] The parties agreed to the above orders.

S Benson



Dated at Auckland on Tuesday 01-Nov-2016

S Benson, Adjudicator

Please read carefully:

SHOULD YOU REQUIRE ANY HELP OR INFORMATION REGARDING THIS MATTER PLEASE CONTACT YOUR LOCAL "TENANCY SERVICES" OFFICE.

MEHEMEA HE PATAI TAU E PA ANA KI TENEI TAKE, PATAI ATU KI TE TARI "TENANCY SERVICES".

AFAI E TE MANA'OMIA SE FESOASOANI E UIGA I LENEI MATAUPU, FA'AMOLEMOLE IA FA'AFESO'OTA'I LOA LE OFISA O LE "TENANCY SERVICES".

Rehearings:

You may make an application to the Tenancy Tribunal for a rehearing. Such an application must be made within five working days of the order and must be lodged at the Court where the dispute was heard.

- **The only ground for a rehearing of an application is that a substantial wrong or miscarriage of justice has or may have occurred or is likely to occur. Please note that being unhappy or dissatisfied with the decision is not a ground for a rehearing (see "Right of Appeal" below).**

Right of Appeal:

If you are dissatisfied with the decision of the Tenancy Tribunal, you may appeal to the District Court. You only have 10 working days to lodge a notice of appeal.

However, you may not appeal to the District Court:

Against an interim order made by the Tribunal.

Against an order, or the failure to make an order, for the payment of money where the amount that would be in dispute on appeal is less than \$1,000;

Against a work order, or the failure to make a work order, where the value of the work that would be in dispute on appeal is less than \$1,000.

Enforcement:

Where the Tribunal made any order and it needs to be enforced then the party seeking enforcement should apply to the Collections Office of the District Court.

Notice to a party ordered to pay money or vacate premises etc.:

Failure to comply with any order may result in substantial additional costs for enforcement. It may also involve being ordered to appear in the District Court for an examination of your means or seizure of your property.

District Court

**Level 6 District Court Building 69 Albert Street, Private Bag 92191, DX CX 10150, Auckland, New Zealand
Telephone: 09 916 9181 Fax: 09 916 9013
www.justice.govt.nz**