



03 May 2023

Ref: DOIA 2223-2344

Privacy of natural persons

Tēnā koe Privacy of natural persons

Thank you for your email of 6 April 2023 to the Ministry of Business, Innovation and Employment (MBIE) requesting the following information under the Official Information Act 1982 (the Act):

- 1) *How long is it currently taking for tenancy tribunal hearings to be scheduled once the tenancy application has been received.*
- 2) *What does MBIE consider the reasonable timeframe for a tribunal session date to be provided once the tenancy tribunal application has been received. E.g., If I apply today, will I have a date of hearing within 20 working days from date of application.*
- 3) *What is the current time frame between applying to tenancy tribunal, and the hearing date.*

The questions you have asked are dependent on several factors for example how the hearing is to be conducted (phone or face to face).

Therefore, a better way of addressing your questions is to outline the scheduling processes and the key factors that determine when and how quickly Tenancy Tribunal hearings can take place. It depends on several factors such as the priority of the application, whether it is suitable for remote hearing, and court availability when it needs to be scheduled for a face-to-face hearing in that part of the motu.

Cases are scheduled with priority first given to specific circumstances according to the priority categories below. The length of time since the application has been submitted is a factor that is considered with all priority levels.

Priority Categories	
Priority 1	Applications involving anti-social behaviour, abandonment, and assault.
Priority 2	Current tenancies particularly where there are rent arrears which may be increasing.
Priority 3	Vacated tenancies where the debt is not increasing because the tenancy has ended.

Where cases are identified as being of a lower level of complexity i.e., requiring less than 90 minutes to deal with, a telephone (remote) hearing is scheduled, rather than a face-to-face hearing in a courtroom.

Remote hearings can be scheduled more quickly than face-to-face hearings, usually within four to five weeks. If the case falls within the priority one category, it will be scheduled as soon as possible as hearing times are made available in the schedule for urgent matters. Face-to-face matters generally take six

weeks or more for a hearing, depending on level of complexity and court availability in the area that the matter is being scheduled to. Over the last two years applications have continuously increased in complexity, resulting in additional court time being required to deal with matters being brought before the Tribunal.

The number of days that a court will hold Tenancy Tribunal hearings per week depends on the volume of cases in that area and courtroom availability. Currently, court time is at a premium across the motu, particularly on the North Shore of Auckland, as the District Court is currently undergoing maintenance work, which is temporarily affecting the availability of court rooms for hearings at this location. The impact of COVID-19 and recent weather events has meant that some matters have been adjourned and rescheduled, which has also affected the time it is taking for cases to be heard in the Auckland area. Where possible, some hearings were moved to MBIE premises to ensure cases were able to proceed as scheduled.

We also continuously monitor cases that have been scheduled and withdrawn, to try and utilise any time slots that become available because of withdrawn cases

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact [OIA@mbie.govt.nz](mailto:OIA@mbie.govt.nz).

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā



Dennis Bloomfield

**Acting National Manager, Tenancy Services**  
Building and Tenancy