

14 DEC 2018

R Nielsen
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Dear R Nielsen

Official Information Act 1982 request

On 29 October 2018, you made a request for information to the Ministry of Business, Innovation and Employment (MBIE), about Tenancy Tribunal (Tribunal) orders. On 20 November 2018, MBIE transferred part of your request to the Ministry of Justice.

In the transferred part of your request, you have asked *"How long do you keep Tenancy Orders against Landlords?"*

The Tribunal is a judicial body established under the Residential Tenancies Act 1986. The Ministry of Justice (the Ministry) is responsible for providing administrative support to the Tribunal, and as such, is responsible for maintaining Tribunal records, including Tribunal Orders, pursuant to the Public Records Act 2005.

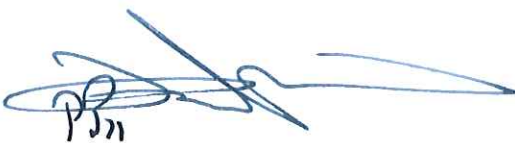
While the Ministry is able to dispose of the Tribunal's paper files (which would include any orders made) after 10 years from file closure, there is no set timeframe in which the Ministry disposes of records after the 10-year period has concluded. The Ministry is currently required to hold the Tribunal's electronic information indefinitely.

Section 20 of the Public Records Act provides that a disposal authority is required to allow legal disposal of records including those of the Tenancy Tribunal. Disposal authority DA 564 applies to paper Tenancy Tribunal files and permits destruction of case files 10 years after file closure. Currently, the disposal authority does not apply to Tenancy Tribunal electronic information and this content will be retained until a disposal authority covering electronic content is in place.

You can find out more information about disposal authority DA 564 on the Archive New Zealand website: <https://www.archway.archives.govt.nz/ViewEntity.do?code=DA564>

I trust that this information assists.

Yours sincerely



Bruce Findlay
Group Manager (Acting), Courts and Tribunals, Regional Service Delivery

Ref: 72312