

Frequently Asked Questions

Unit Titles

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Below are questions answered by the Ministry of Business, Innovation and Education (MBIE) during our live webinar with MBIE in May 2024. If you require further information on the Unit Titles Act, please visit MBIE's website at www.unittitles.govt.nz

1. When there is a dispute that involves a Unit Title up to what amount will the tenancy tribunal hear that dispute?

The Tenancy Tribunal can hear and resolve unit titles disputes up to \$100,000. The District Court or the High Court hears disputes that exceed this amount.

2. What is the cost to make an application for mediation or a hearing related to a unit title dispute?

The costs for applying to the Tenancy Tribunal is \$250 for mediation and \$500 total where the dispute requires adjudication.

This means if a \$250 fee has been paid and the dispute is then referred to adjudication, a further fee payable of \$250 is required. The total fee that is payable for the application will not exceed \$500.

3. Who can apply to the tribunal in relation to a Unit Title dispute?

Almost anyone with an interest in a unit title property can apply to the Tenancy Tribunal, including:

- Owner
- Former owners
- Body Corporate
- Occupier (Tenant living in the property)
- Contractors
- Prospective buyers

4. How long does someone have to apply to the tenancy tribunal about a Unit Title dispute?

The Limitations Act 2010 does apply to civil disputes involving monetary claims. The limitation period for monetary claims is 6 years from the date of the event or omission that the claim is based on, or the date the debtor acknowledged the debt.

5. Are statistics kept for the number of mediations or hearings like they are for residential tenancies on the Tenancy Services site?

MBIE has statistics on the number of applications for Unit Title mediations and hearings. These are currently not available publicly, but we will explore appropriate options to publish these data and statistics on our Unit Title Services website.

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6. If there is a change in the Body Corporate Rules for a complex and that change now means a change in the rights of a current tenant, do the Body Corporate Rules take precedent over the Tenancy Agreement. For example, a change from 3 carparking spaces to 2 carparking spaces?

Unit title properties are governed by a body corporate. The body corporate sets rules that all unitowners and tenants need to obey.

When renting out a unit title property, the landlord must give tenants a copy of the body corporate rules. Landlords and tenants in a unit title complex have extra responsibilities.

[Landlords' and tenants' responsibilities under the Residential Tenancies Act 1986.](#)

If you are the landlord:

The tenancy agreement must include any body corporate rules that affect the tenant. The body corporate rules may change during the tenancy. If the changes affect the tenant, you must give them written notice. Discuss with your tenant on what the changes may mean for them, and talk together on how to resolve any issues that may arise.

If you are the tenant:

You must obey the body corporate operational rules. These rules are part of the tenancy agreement and form part of the tenants' responsibilities.

If any changes to the rules, discuss with your landlord on how the changes may affect you and talk together to resolve any issues that may arise.