



FAMILY AWARDED \$5K AFTER LIVING IN RAT INFESTED WEST AUCKLAND RENTAL

Melanie Earley | 07:47, Feb 03 2021

An Auckland family have been awarded \$5000 by the Tenancy Tribunal after living in a rental property which had two “distressing and frightening” rat infestations.

Vikram Singh Salaria and Asha Rani lived in the Te Atatū South property with their daughter, and took Premium Property Management Limited, and Carlos Chai, to the tribunal for having to live in dirty and unmaintained conditions.

Salaria and Rani had recently emigrated to New Zealand when the tenancy began.

As English was their second language, the couple were supported by Leigh and Elizabeth Marshall, members of their church, during the hearing.

Marshall sent a text message to Chai and told him the flat was dirty and there was a large stain on the carpet. She also said a window was broken and there was mould on the blinds and curtains.

Chai contracted a company to clean the premises, delaying the move-in date by two days.

After moving in, the tenants found there were still a number of issues with property – no working smoke alarms, a leaking toilet, a cracked bedroom window, a faulty microwave and no handles on the bathroom door.

Tenancy Tribunal adjudicator Robert Kee agreed the bathroom door and cracked window should have been fixed before the tenants moved in.

In October 2019, the property had its first rat infestation which damaged their food and other items, Chai carried out pest control.

In June 2020 the rat infestation was back, Marshall wrote to Chai voicing concerns about the damage caused.

“Eleven days have passed since you were notified of the infestation. The damage caused has been significant to furniture, food and clothing.

“Most importantly, the rats pose a dangerous risk to Vikram’s wife, unborn child and daughter.”

Chai believed the infestation was due to the tenants keeping food out and not putting food waste promptly in the wheelie bin, so didn't arrange pest control.

Kee found Chai should have taken steps to eradicate the rats as they had entered the property through holes they had gnawed or existing gaps previously.

"Mr Salaria is a trained chef and I have seen no evidence such as inspection reports or photographs to prove that the tenants did not keep the premises in a hygienic condition," Kee said

"The infestation would have disgusted and frightened the tenants. It's difficult to imagine the tenants would not do all they could to alleviate the situation.

"I am confident they did not leave food scraps about or do anything unhygienic to encourage the infestation."

The infestation had been particularly distressing to the couple's daughter, Kee said.

"The rats gnawed at the tenants' food and furniture and left droppings about the place. The rats even gnawed the tenants' daughters' toy dolls, which I am told the daughter found very upsetting."

The lack of working smoke alarms was described by Kee as a "serious and unacceptable breach".

Kee ordered Premium Property Management Limited and Chai to pay the family \$5,129 in damages and compensation.

The tenants had to pay \$870 to the landlord for Internet and power costs.