

IN THE WEATHERTIGHT HOMES TRIBUNAL

**TRI-2011-100-00080
[2012] NZWHT AUCKLAND 29**

BETWEEN	MICHAEL JAMES BEAZLEY, DEBBIE WAI KAPOHE AND ALLENE MARIE KAPOHE AND PUBLIC TRUST FOR A M KAPOHE FAMILY TRUST Claimants
AND	ANDREW DEREK CLELAND AND JENEPHER LYNNE HAYWARD First Respondents (Removed)
AND	DUNEDIN CITY COUNCIL Second Respondent
AND	GEOFFREY ALAN MARTIN Third Respondent
AND	MURRAY TURNER DECORATORS LIMITED Fourth Respondent
AND	ERIK AMIGO VAAFUSUAGA Fifth Respondent (Removed)
AND	ALAN GRAHAM THOMAS PAYNE AND VALERIE PAYNE Sixth Respondents (Removed)
AND	RONALD CRAIG PALMER Seventh Respondent (Removed)
AND	KYLE MARTIN SUTHERLAND Eighth Respondent (Removed)
AND	METRO REALTY LIMITED Ninth Respondent (Removed)

AND FLANDERS MARLOW
LIMITED
Tenth Respondent

AND KENNEDY MCBEATH
BUILDERS LIMITED
Eleventh Respondent
(Removed)

AND PETER GILLESPIE
Twelfth Respondent
(Removed)

AND MURRAY EVAN TURNER
Thirteenth Respondent

AND NUPLEX INDUSTRIES
LIMITED Fourteenth
Respondent

AND DENVER LINLEY BLYTH
Fifteenth Respondent

DECISION ON QUANTUM OF COSTS

Dated 25 June 2012

Adjudicator: S Pezaro

[1] On 14 June 2012 I found the claimants liable for an award of costs to the sixth, seventh, eighth and ninth respondents. I directed these respondents to submit a schedule of costs calculated in accordance with the High Court scale of costs for the steps taken from the outset of proceedings to the filing of applications for removal. These schedules were filed on 22 June 2012.

[2] Although not entitled to do so, the claimants filed a memorandum in opposition on 25 June 2012. I have considered their comments. I am satisfied that given the nature of these proceedings costs calculated on the High Court scale 2B are appropriate. In accordance with High Court Rule 14.2 (f) the costs claimed do not exceed the costs incurred by the parties. I therefore make the following orders:

[3] Michael James Beazley, Debbie Wai Kapohe, Allene Marie Kapohe and the Public Trust as Trustees for the A.M. Kapohe Family Trust are to pay Alan Graham Thomas Payne and Valerie Payne the sum of \$7,087.20 immediately.

[4] Michael James Beazley, Debbie Wai Kapohe, Allene Marie Kapohe and the Public Trust as Trustees for the A.M. Kapohe Family Trust are to pay Ronald Craig Palmer the sum of \$6,749.83 immediately.

[5] Michael James Beazley, Debbie Wai Kapohe, Allene Marie Kapohe and the Public Trust as Trustees for the A.M. Kapohe Family Trust are to pay Kyle Martin Sutherland the sum of \$9,078.13 immediately.

[6] Michael James Beazley, Debbie Wai Kapohe, Allene Marie Kapohe and the Public Trust as Trustees for the A.M. Kapohe Family Trust are to pay Metro Realty Limited the sum of \$10,746.00 immediately.

DATED in Auckland this 25th day of June 2012

S Pezaro
Tribunal Member