

TEMPORARY OCCUPATION ORDER

Section 116, Family Violence Act 2018

In the Family Court
at Porirua

FAM-2023-091-000115

Applicant

**Amanda Kathleen Louise Solt
of Paraparaumu**

Respondent

**David Jeremiah Solt
of Paraparaumu****NOTE**

Rule 311 of the Family Court Rules 2002 permits the applicant's address to be omitted from the heading.

On or after making a protection order, on **11 April 2023**, in favour of **Amanda Kathleen Louise Solt** the applicant, against **David Jeremiah Solt**, the respondent, the court on an application without notice for an occupation order, makes a temporary occupation order against the respondent.

The Court orders that **Amanda Kathleen Louise Solt**, the applicant, be entitled, to the exclusion of the respondent, to personally occupy the dwellinghouse at:

**17 Princeton Road,
Raumati Beach,
Paraparaumu**

together with any land, buildings, or improvements related to the dwellinghouse that are used, or ordinarily, would be used for the purposes of a household.

The court directs that the applicant is entitled to occupy the dwellinghouse for the period from **11 April 2023** to **11 April 2024**.

The Court also imposes the following terms and conditions relating to the occupation of the dwellinghouse:



Signature:

A handwritten signature in blue ink, appearing to be 'J. Solt', written over a horizontal line.

Deputy Registrar

**Date order made: 11 April 2023
Date order sealed: 11 April 2023**

IMPORTANT INFORMATION ABOUT THE ORDER

Effect of temporary occupation order

This order is a temporary order.

If you do nothing after being served, this order will automatically become a final order 3 months after the date on which it was made. The final order will come into effect immediately. If you wish to dispute this temporary occupation order, you must notify the court as soon as possible.

The court has directed that a hearing be held in relation to of this order.

This hearing will take place whether or not you wish to appear. If you wish to dispute any part of the order, you must notify the court as soon as possible.

If you do nothing, the court may make a final order in your absence (or the parts of the order in relation to which a hearing is not required will become final 3 months after the date on which this order was made, and the court may confirm the other parts of the order at the hearing).

If another person who has an interest in the property and who has been given notice wishes to be heard, a hearing will be required even if you do not wish to be heard. In that case, you will be notified of the hearing date.

Variation or discharge of order

You (or any other party) may apply to the court at any time—

- (a) to extend or reduce the period for which this order is in force; or
- (b) to vary or discharge any terms and conditions imposed by the court; or
- (c) to discharge this order.

Consequences of breach of order

You commit an offence if you contravene or fail to comply with any term and condition of this order (for example by failing to leave the dwellinghouse to which the order relates). You have a defence to proceedings for this offence if you can prove that you had a reasonable excuse for breaching the order. The maximum penalty for this offence is 3 years' imprisonment. If a constable has good cause to suspect that you have breached this order, you may be arrested without warrant. Police bail is not available during the 24 hours immediately following an arrest. During that period, any bail application must be made to a Judge.

Advice

If you need help, consult a lawyer, check the Ministry of Justice website, call the Ministry of Justice call centre, or contact an office of the Family Court immediately.

Ministry of Justice website: <http://www.justice.govt.nz>

Ministry of Justice call centre: 0800 268 787

See also the information sheet accompanying this order.

