



**IN THE FAMILY COURT
AT PORIRUA**

**I TE KŌTI WHĀNAU
KI PORIRUA**

AMANDA KATHLEEN LOUISE SOLT

Of Raumati Beach, Senior Advisor at the Tertiary Education Commission

Applicant

DAVID JEREMIAH SOLT

Of Raumati Beach, unemployed

Respondent

**AFFIDAVIT OF APPLICANT IN SUPPORT OF WITHOUT NOTICE
APPLICATION FOR PROTECTION ORDER AND OCCUPATION AND ANCILLARY
ORDERS**

Sworn 6th day of April 2023

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**AFFIDAVIT IN SUPPORT OF WITHOUT NOTICE APPLICATION FOR
PROTECTION ORDER AND OCCUPATION AND ANCILLARY ORDERS**

I, **AMANDA KATHLEEN LOUISE SOLT**, of Raumati Beach, Senior Advisor at the Tertiary Education Commission, **swear**:

1. I am the applicant in these proceedings and the respondent ("David") is my husband. Currently I am on parental leave from my job as a Senior Advisor at the Tertiary Education Commission while I care for our daughter Lily Emily Natalie Solt ("Lily") born on 19 December 2022.
2. I am seeking without notice a protection against David, and an occupation order so Lily and I can move into our family home at 17 Princeton Road, Raumati Beach which David is currently solely residing in and refuses to leave.

Summary

3. David and I were married on 19 July 2007. I advised David that our marriage was at an end on 23 February 2023. For most of our marriage I was the sole income earner, and also responsible for most household duties (shopping, cooking, cleaning etc.). David has not worked since a brief time during university, and contracted chronic fatigue prior to marriage.
4. Around the end of 2021, and beginning of 2022, David's behavior changed dramatically. He became increasingly cold and withdrawn from me.
5. David and I had been trying to conceive for around four years before I fell pregnant with Lily. At the end of January 2022, I commenced a new (and complex) job after being at my previous workplace 8 years, and found out I was pregnant in April. My department was also undergoing a major restructure during this time.
6. I had significant vomiting throughout the entire pregnancy, and severe fatigue in the first trimester. I also had a hemorrhage throughout pregnancy, with heavy bleeding in the first trimester which was very stressful, as it had taken so long to conceive.



7. David's behavior was mentally abusive of me. I found it hard to live with his bizarre actions. David began to leave rooms whenever I entered them. I had to book in spending time with him (sometimes days or weeks in advance) to discuss concerns. David stopped saying goodnight to me, withheld affection like hugs/kisses, and seemed to be increasingly agitated throughout my pregnancy.
8. After I gave birth on 19 December 2022, I moved in with my mother after I was released from hospital. This was initially to get help in caring for Lily while recovering from labour as I did not feel that David would be enough support for me and Lily and due to his behavior during my pregnancy I did not feel happy to return home after the birth.
9. I became increasingly concerned about a number of issues, like David's mental health and the viability of our marriage, and did not feel it was a safe environment for Lily and I to move back into. I told David that Lily and I wouldn't move home until he saw a GP.
10. I would normally bring Lily over daily to see David, whilst I was recovering from labour, that included nerve damage. I would also send pictures and arrange video calls to David.
11. I asked that we have a discussion about our marriage in December 2022, as I believed we needed marriage counselling if we were to continue.
12. David refused to have this discussion before late January 2023, and then yelled at me when I wanted it before the anniversary of our marriage celebration on 19 January. I told him I was miserable, and he told me to "keep being miserable" and wanted to delay the discussion about our marriage until March 2023.
13. He then told me it was my fault that I caused him to yell, as I had made him angry and accused me that I "always make drama" and that I was "deliberately making chaos".
14. On 21 January 2023, we discussed our marriage. I gave an ultimatum of marriage counselling being needed. He believed that arguments we had were me purposely trying



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to upset him. He also told me the marriage counselling was a ruse, and I was being dishonest.

15. I repeatedly asked David to seek help for his mental health, and he refused, and dismissed me whenever I asked. I spoke to Te Haika – emergency mental health phone line (on 17 January and 14 February), a family member of David's, my midwife, our GP and Lily's Plunket nurse about my concerns and to get help for David.
16. David and I had joint bank accounts. I created separate accounts in 2023 to stop his access to my income due to his bizarre beliefs and actions (i.e. brought multiple phones, one in October, one nearly \$1,300 on 12 December, and at least one 'burner phone').
17. David used my account log in for years, until I changed it this year. I gave him the new password after feeling pressured, and then sought advice from ANZ (17 January) and told David he was not allowed my password and changed it. I have not shared it since. David was very angry when I would not share the new password. David had always had access to the joint accounts via his own log in so did not need my log in.
18. Due to my concerns about David's mental health and spending, I contacted ANZ on 9 February to discuss options for protecting the money to ensure essential household bills, like the mortgage, are paid.
19. I initially wanted a temporary block for the accounts in general to keep the money safe before I met with our GP (10 February) to discuss options for accessing help for David, I moved the bulk of the funds as I was concerned David would use it to buy more burner phones or more iPhones if he believed his current phone was compromised (as he had previously done). We needed this money as I was only receiving parental leave payments from IRD.
20. On 23 February, I gave David a letter saying our marriage was no longer tenable, due to his refusal to see his GP, treatment of me, and his untreated mental health issues. I told David that I would like to move back home with Lily, and asked that David leave by 16 March, or I would need to get help from the court.



21. On 17 March, I issued a trespass notice. Police spoke to David, his father and I. Indicating to him it would be best if he moved to his accommodation in Karori so Lily and I can move out of the spare bedroom of my mother's house.
22. On 22 March, I messaged him and his parents advising that I would be perusing matters further.
23. I want to effectively co-parent with David in raising Lily, and separate as amicably as possible, however, I also need to move home to have security for Lily and myself, as it is not a safe environment for either of us to return with David still there, so I am continuing to reside with family until David has moved to his accommodation in Karori, or other suitable accommodation for him.
24. David's mobility issues were vastly improving throughout 2022. However, he still believes his mobility issues prevent him from travelling in a car, though he is able to walk outside. There is no physical reason why David cannot leave the house.
25. David has told me that he wishes to leave 17 Princeton Road and live with family. He has suitable accommodation available for him in Karori with family. I feel that David won't actually move without a court order.

Mental health concerns

26. David has shown concerning escalation of his behaviour and thoughts over the past year. He attempted to have an emotional affair with a mutual friend of ours and believed a picture of two trees on Instagram was the friend communicating that her and David were meant to be together. David then lied and told his family and I that the friend was romantically interested in him, and that he rebuffed her advances. He told me that the friend was stalking him. None of this was true and part of a delusional belief system that David had.
27. David repeatedly accused me of bugging the house to check on him. That was totally bizarre and untrue.



28. David was unable to address these issues with me, for example, I was asking questions about his emotional affair, and he kept deferring to a family member asking them what he should say, and then lied about having accused me of bugging the house (whilst I have many messages demonstrating this).
29. He would not speak to some of his family members on the phone or in person when I was in the same room, and would leave the room if I came in. When I overheard part of a conversation between him and his family as I was leaving the bathroom, he accused me of eavesdropping.
30. David accused me, in front of a friend and to other people, that I had set traps of glass, crockery and tooth-picks in the carpet to deliberately hurt David, and I had ignored him when he cut his foot on glass. None of that was true.
31. David told a friend that his phone had been bugged by me and he believed recording devices had been set up in the house. He also accused me of having Munchausen by Proxy and deliberately making him sick, and that my family and I are insane, and I'm a psychopath. Examples of my alleged activities:
- "Spy software on the network and/or phone that keeps track of everything".
 - He used a "burner phone" to communicate and would need to factory reset before reconnecting to the Wi-Fi.
 - "There seems to have been microphone/s and/or camera/s in the house at some point".
 - "She's also taken an interest in security cameras, and audio recording equipment... indoor/outdoor.. it's an odd hobby. I think she randomly places cameras, microphones, or other recording devices around the place now and then. Just part of her sense of humour I guess.."
32. He believed that I was trying to communicate hidden messages to him when I discussed everyday activities like making a bacon and egg pie and telling him what childhood books I would like to read to Lily, i.e. the Cats Pyjamas/Richard Scarry books.



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33. When I was using the toilet, he forced open the lock to go into the bathroom to retrieve his phone that he had left there. He did not explain why he did this when asked.
34. My mother arranged a cleaner, Home Heroes, to clean once a week once I returned to the house after the birth. At the same time, David was organising a cleaner. David believes that the cleaning company Home Heroes was made up, (as they cancelled multiple appointments to do assessments) and that I made it up as 'vengeance' for David organising his own cleaning company. I was not allowed by David to meet the cleaner before she commenced, and he refused to discuss her rates or references with me prior to her commencing (I was paying for this service).
35. He was adamant I was meeting with a divorce lawyer when I had an obstetric appointment.
36. On 14 and 21 January, when I was moving items into storage to make room for Lily's things at our home (i.e. my work clothes and working from home equipment), David accused me firstly of moving out, and then later of moving assets.
37. He accused me via phone (in front of a friend) of stealing his wallet and our silver. When I contacted him later that night, saying I'd phone the police as there had been a theft, he said he hadn't checked all of the drawers yet, so there was no need to call the police.
38. David has said that Lily is "probably" his, and accused me to some of his family, and his friend, of having multiple affairs. This is not true and again part his delusional beliefs.
39. David was angry when I was organising a roster of people to visit the house once I moved home (prior to our separation), so they could help with Lily while I cleaned bottles/showered etc. David referred to this as socialising. I told him it was necessary support, and that I needed it. David said he would rather not have my friends over because he couldn't leave the house.



40. David would question me on spending in relation to Lily, i.e. saline for Lily's blocked nose, or anti-colic bottles.
41. David was increasingly cold and distant, and unkind to me. i.e. forgot my birthday, repeatedly woke me up on purpose when I slept, I hit him in jest with my phone and he retaliated by bending my finger back and told me I had frustrated him and that was why he had engaged in actions he knew would cross my boundaries during our physical relations.

Emotional affair

42. On February 27, 2021, I gave a mutual friend David's phone number so she could message him on Whatsapp as I felt it would be good to have more active friends in his life. She messaged David that day.
43. In October 2022 David had a phone conversation with the friend where he said he wanted to leave our marriage, that I had many affairs and was controlling him. He expressed that his health was also a barrier to leaving, and he didn't have many options. She advised David to seek help from support services/seek a counsellor. She was supportive of his plans to talk about his desire to get out of the marriage with a Minister who was visiting David at our home. David said he would research some potential help services.
44. David began expressing romantic interest in the friend shortly after this. He also seemed to misinterpret things, such as a Spotify playlist the friend shared with him, as romantic overtures. She told him she was not interested in him romantically and he was 'reading into' the playlist.
45. David started messaging her and calling her more frequently. He began looking through her social media history and seemed to think that posts she made referred to a potential relationship with David. She again implored David to get in touch with a counsellor.
46. She asked David to stop messaging her or she would have to block him. He persisted and she blocked his cell phone number, Spotify and Instagram accounts. He later created a new Instagram account which he used first to look at her social media and,



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when she blocked him on her most active accounts, to message her on a third. He asked her to respond by changing a post on her Instagram account. She contacted me on 9 February with her concerns.

47. David messaged her on 12 February, and following a discussion with the police, the friend advised him on 13 February to cease contact and notify him she had spoken with police.

My actions

48. Due to the stress of the current situation, I engaged in some actions that I regret. These included:
- Physically pushing David away when he was grabbing my arms and legs repeatedly;
 - Hitting David's arm in jest with my cell phone;
 - Threatening divorce as I was distressed;
 - Moving money out of concern to protect it;
 - I engaged in name calling when David hired a cleaner, without engaging with me about it – as my mother had offered to pay for a cleaner for us;
 - When I found out about David's romantic messages to our friend, I took his cell phone for around 30 seconds and asked him to be honest with me. I gave his phone back immediately but acknowledge this was not appropriate behaviour.

Need for urgency regarding protection order and occupation order

49. Due to the deterioration in David's behaviour over the last two years, in particular, his mental health, I do not feel safe to resume occupation of our family home, especially with the care of a three month old baby. The property at 17 Princeton Road, Raumati Beach, is owned in my sole name although I acknowledge that, ultimately, David will be entitled to receive his relationship property component of the property. For the safety of myself and our daughter, Lily, I need to be able to occupy the home without David being present.



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50. Due to his emotionally abusive behaviour, I do not feel it is safe for us to be living in the same place at the same time. I believe there is the potential for our daughter, Lily, to be at risk as well due to the delusional belief system that David has been exhibiting, especially his paranoid ideation around my behaviour, which has led to him being aggressive towards me in a way which is frightening.
51. Currently, Lily and I are staying with family but this is not a long term situation and we need to be living back in our home.
52. I have tried, taking into account David's physical issues, to negotiate this in a kind and thoughtful manner but, in part due to David's mental health issues, he has not been able to engage in any proper discussion. I sought assistance from the Police to trespass David from the property because I am the legal owner but, due to the Police feeling that there is a grey area around his relationship property claim, they will not enforce the trespass notice. David's family have tried to convince him to leave voluntarily and have offered him accommodation, but David refuses to leave.
53. The situation is, therefore, that Lily and I are in temporary accommodation, effectively locked out of our own home. It is not safe for me to reoccupy the home with David living there. David will not leave voluntarily and unfortunately, my only recourse is to seek court orders which require David to leave and provide protection for myself and Lily.
54. I therefore seek a temporary protection order against David which covers our daughter as well. I seek an interim occupation order of the family home at 17 Princeton Road, Raumati Beach and an ancillary furniture order to allow me to use the contents of the home until a division of relationship property has been negotiated.



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55. Due to David's bizarre behaviours and untreated mental health issues, I am very concerned as to his reaction should orders not be made on a without notice basis. Due to his paranoid ideation, his behaviour can be bizarre and unexpected, which potentially places all of us at risk.

Sworn by AMANDA KATHLEEN LOUISE)

SOLT at 6th this day of April, 2023)

Before me:



A Solicitor of the High Court of New Zealand

AMANDA KATHLEEN LOUISE SOLT
Michael Thomas Stutchbury, JP
15258
RAUMATI SOUTH
Justice of the Peace for New Zealand