



08 June 2018

Official Information Request No. 8140003037
(Please quote this in any correspondence)

Marcus Cook

By email: fyi-request-7888-191c410a@requests.fyi.org.nz

Dear Mr Cook

Local Government Official Information and Meetings Act 1987

Re: External and internal costs incurred against Penny Bright for unpaid rates

I refer to your email dated 22 May 2018. You have requested the following information pursuant to the Local Government Official Information and Meetings Act 1987 (**LGOIMA**).

Could you please advise the total external and internal (Council) costs incurred by Council during the recently resolved situation with Penny Bright with regard to her unpaid rates?

Could you also please advise if any (and if so, what amount) of this cost will be recoverable by council as a result of the 11th hour rates postponement notice?

Response

We have interpreted your request as relating to the costs incurred by Auckland Council in relation to the rating sale of Ms Bright's property.

Internal costs

Other than conveyancing costs, all legal steps taken in relation to the application for rating sale, including responding to Ms Bright's application for interim injunction to halt the sale, were undertaken by Auckland Council's in-house Legal Services team. The cost of legal staff time has been met from within existing legal operating budgets.

In addition, a range of other council departments have spent time dealing with this matter, also from existing resource and operating budgets.

Staff do not generally record time spent on individual matters, and they did not do so in this case. The time involved has been significant, however in the absence of time records, it is not possible to say how much internal time and resource has been expended.

External costs

The total external cost incurred to date in respect of the rating sale is \$10,176, made up primarily of legal conveyancing costs for the sale, advertising costs for the sale and the real

estate agent's withdrawal fee. The sale process was run by the High Court, not Council, and therefore necessitated independent conveyancing advice.

Auckland Council will not be seeking recovery of these costs from Ms Bright.

Conclusion

Should you believe Auckland Council has not responded appropriately to your request, you have the right by way of complaint, under section 27(3) of the LGOIMA, to apply to the Ombudsman to seek an investigation and review of the decision.

If you have any further queries please contact me on 09 301 0101 quoting Official Information Request No 8140003037.

Yours sincerely



Sarah Parry-Crooke
Privacy & LGOIMA Business Partner
Democracy Services