

IN THE SUPREME COURT OF NEW ZEALAND

SC 34/2016
[2016] NZSC 81

BETWEEN YONG XIN CHEN
Applicant

AND THE CORNWALL PARK TRUST
BOARD INC
Respondent

Court: William Young, Glazebrook and Arnold JJ

Counsel: R J Hollyman and T F Cleary for Applicant
M G Ring QC and J G H Hannan for Respondent

Judgment: 4 July 2016

JUDGMENT OF THE COURT

- A** The application for leave to appeal is granted (*Cornwall Park Trust Board Inc v Chen* [2016] NZCA 65).
- B** The approved questions are whether the Court of Appeal was correct:
- (i) to hold that the applicant is liable under the lease to pay the upset rental from the date of expiry of the lease until she vacated the property; and
 - (ii) in interpreting and applying the applicant's repair obligations under the lease.
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Solicitors:
Loo & Koo, Auckland for Applicant
DLA Piper, Auckland for Respondent