

Private Residential Tenancies Board

Determination Order

Ref: DR22/2006

In the matter of Neil Stewart and Susan Stewart (section 77 Applicants) and Michael Bennett (Respondent Landlord) the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines as follows:

1. The Respondent Landlord is in breach of the duty he owes to the Applicants under section 15 of the Residential Tenancies Act 2004 by failing to enforce the obligation of the Tenants of the dwelling at 110 Burnell Park, Castleknock, Dublin 15 not to engage in anti-social behaviour.
2. The Respondent Landlord shall take immediate steps to remedy his breach of duty to the Applicant by enforcing the obligation of the Tenants as regards anti-social behaviour. The Respondent Landlord shall immediately write to the Tenants in accordance with the form of letter provided by the Private Residential Tenancies Board with this Order to inform them of the Board's finding that they have engaged in anti-social behaviour and that if such behaviour continues or recurs, the Respondent Landlord will terminate the tenancy.
3. The Applicants, the Respondent and the Tenants shall engage in dialogue in the event of future complaints.
4. The Respondent Landlord shall furnish the Applicants with a telephone number that they can use to contact him during the hours 9.00 a.m. to 6.00 p.m. only.

This Order was made by the Private Residential Tenancies Board on 12 July 2006.