

Private Residential Tenancies Board

Determination Order

Ref: DR67/2006

In the matter of Sharon and Eric Fleming (section 77 Applicants) and Valerie Kavanagh (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 her duty owed to the Applicants under section 15 of the Residential Tenancies Act 2004 by failing to enforce the obligations of the Tenants of the dwelling at 50 Broadfield Avenue, Broadfield Manor, Rathcoole, Co. Kildare.
2. In the event of a further formal complaint been made by the Applicants to the Respondent Landlord with regard to the anti-social behaviour, the Respondent Landlord shall terminate the tenancy in accordance with the provisions of section 67(2)(b) of the Residential Tenancies Act.
3. The Respondent Landlord shall pay the Applicants, within 7 days of the date of issue of this Order, the sum of €500 being reimbursement of the cost expended by the Applicants in soundproofing their walls.

This Order was made by the Private Residential Tenancies Board on 18 October 2006.

Liam Gleeson

Duly authorised to sign on behalf of the Board

Kathryn Ward

Duly authorised to sign on behalf of the Board