

## **Private Residential Tenancies Board**

### **Determination Order**

**Ref: TR130/DR1007/2007**

In the matter of Michelle Brereton (Appellant Landlord) and Fiona Smyth (Respondent Tenant) the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines as follows:

1. The actions of the Appellant Landlords agent amounted to an unlawful termination of the Respondent Tenants tenancy of the dwelling at 6 de Selby Road, Blessington road, Dublin 24, contrary to section 58 of the 2004 Act. In addition, the Landlord breached his obligation to afford the Tenant peaceful occupation of the above dwelling contrary to section 12(1) of the Act.
2. The Appellant Landlord shall pay the sum of €4,300 to the Respondent Tenant, within 28 days of the date of issue of this Order, being compensation of €3,000 for the above breaches plus the return of the deposit of €1,300.

This Order was made by the Private Residential Tenancies Board on 9 May 2008.

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Eoin O'Sullivan

Board Member

Duly authorised to sign on behalf of the Board.

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Kathryn Ward

Assistant Director

Duly authorised to sign on behalf of the Board.