

Private Residential Tenancies Board

Determination Order

Ref: DR337/2007 & DR372/2007

In the matter of Kim Ostergaard (Applicant Tenant) and Mia McKeown (Respondent Landlord) the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines as follows:

1. The Notice of Termination, dated 28 March 2007, served by the Respondent Landlord on the Applicant Tenant in respect of the tenancy of the dwelling at Apartment 63, Ballsbridge Wood, Dublin 4, is invalid.
2. The Respondent Landlord shall pay the sum of €495.92 to the Applicant Tenant, within 21 days of the date of issue of this Order, being reimbursement for excessive electricity charges resulting from the disruption to the gas supply in respect of the tenancy of the above dwelling.
3. The Applicant Tenant is in breach of her obligations under section 16(a)(i) of the Residential Tenancies Act, 2004 in not paying the final months rent. The amount of the arrears of rent may be offset against damages that would fall due from the failure of the Respondent Landlord to serve a valid Notice of Termination.

This Order was made by the Private Residential Tenancies Board on 17 September 2008

Eoin O'Sullivan
Board Member

Duly authorised to sign on behalf of the Board

Anne Marie Caulfield
Director

Duly authorised to sign on behalf of the Board