

## **Private Residential Tenancies Board**

### **Determination Order**

**Ref: TR02/DR831/2009.**

In the matter of Michael and Maria Horan (Appellant Landlords') and Bastian Hubrich (Respondent Tenant) the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines as follows:

1. The Adjudicators determination is generally upheld to the effect that:-
  - (a) the Appellant Landlords' shall pay the sum of €3,800 to the Respondent Tenant within 21 days of the date of issue of this Order, being damages of €2,000 for the unlawful termination of the tenancy of the dwelling at Biddy's Cottage, Bishops Lane, Ballymore Eustace, Co Kildare, plus damages of €1,800 for domestic necessities consequent on having to vacate the above dwelling following the illegal eviction;
  - (b) the Appellant Landlords' shall refund the sum of €700 to the Respondent Tenant, within 21 days of the date of issue of this Order, being the security deposit of €1,200 less the sum of €500 for the cost of refilling the oil tank as agreed in the tenancy agreement between the parties;
  - (c) the Appellant Landlords' shall refund the sum of €601 to the Respondent Tenant within 21 days of the date of issue of this Order, being the costs incurred in carrying out repairs to the front door of the above dwelling;
2. The Appellant Landlords' shall further pay the sum of €2,000 to the PRTB within 21 days of the date of issue of this Order, being a contribution towards the cost of this Tribunal in accordance with Section 115(2)(i) of the Act as by his own admission he accepted the findings of the adjudicator.

This Order was made by the Private Residential Tenancies Board on 1 April 2009.

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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

