

## Private Residential Tenancies Board

### Determination Order

**Ref: DR1015-22030, DR1115-22720**

In the matter of Claire O'Reilly, Daniel Clifford [Applicant/Respondent Tenants] and Emily Mc Kiernan [Respondent/Applicant Landlord] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

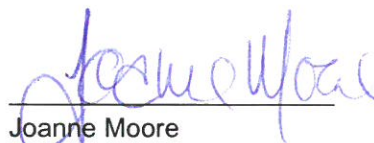
1. The Applicant/Respondent Tenants Application for breach of Landlord obligations in respect of the tenancy of the dwelling at 22A Forest Lawn, Kingswood, Tallaght, Dublin 24, is upheld.
2. The Applicant/Respondent Tenants Application for breach of standard and maintenance of dwelling in respect of the tenancy of the above dwelling is not upheld.
3. The Applicant/Respondent Tenants Application for deposit retention in respect of the tenancy of the above dwelling is upheld.
4. The Applicant/Respondent Tenants Application for illegal eviction in respect of the tenancy of the above dwelling is not upheld.
5. The Applicant/Respondent Tenants Application for invalid notice of termination in respect of the tenancy of the above dwelling is upheld.
6. The Respondent/Applicant Landlords Application for standard and maintenance of dwelling in respect of the tenancy of the above dwelling is upheld.
7. The Respondent/Applicant Landlords Application for rent arrear in respect of the tenancy of the above dwelling is not upheld.
8. The Respondent/Applicant Landlord shall pay the total sum of €1300.00 to the Applicant/Respondent Tenant within 56 days of the date of the issue of the Order, being €710.00 in respect of the portion of the deposit wrongfully retained by the Landlord; €290.00 in respect of damages for breach of Landlord obligations to return the deposit promptly plus €500.00 being damages in respect of invalid notice of termination of the tenancy of the above dwelling less €200.00 damages to the Landlord for the Tenants breach of their obligations to the Landlord in respect of standard and maintenance of the tenancy of the above dwelling.

This Order was made by the Private Residential Tenancies Board on 04 March 2016.



Tim Ryan  
Board Member

Duly authorised to sign on behalf of the Board



Joanne Moore  
Higher Executive Officer

Duly authorised to sign on behalf of the Board