

Residential Tenancies Board

Determination Order

Ref: DR0316-24998


In the matter of Lorraine Marchbanks, Vaughn Marchbanks [Applicant Landlords] and Carmen King [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a service date of 26th February 2016 and served by the Applicant Landlords upon the Respondent Tenant in respect of the tenancy of the dwelling at Pomona House, Ballyfallon, Athboy, County Meath is invalid.
2. The Respondent Tenant shall pay the total sum of €2,442.04 to the Applicant Landlords within 42 days of the date of issue of the Order, being rent arrears and management fee contributions totalling €2,892.04 together with damages of €400 for failing to pay rent and management fee contributions, having deducted the entirety of the justifiably withheld security deposit of €850 in respect of the tenancy of the above dwelling.
3. The Applicant Landlords' application regarding Agent's Fees is not upheld.
4. The Applicant Landlords' application regarding fees for the issuance of written notices is not upheld.
5. The Applicant Landlords' application regarding deterioration in the condition of the dwelling pursuant to S16(f) of the Residential Tenancies Act 2004 is not upheld.

This Order was made by the Residential Tenancies Board on 12 August 2016.



Tim Ryan
Board Member
Duly authorised to sign on behalf of the Board



Carolyn O'Brien
Higher Executive Officer
Duly authorised to sign on behalf of the Board