

## Residential Tenancies Board

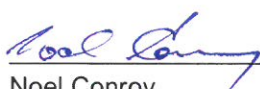
### Determination Order

**Ref: DR0516-26351**

In the matter of Andrea Ainslie [Applicant Tenant] and John Gannon [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on the 16 April 2016 by the Respondent Landlord on the Applicant Tenant in respect of the tenancy of the dwelling at St. Judes, 194 The Maws, Maynooth Road, Kilcock, Co. Kildare is valid.
2. The Applicant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of issue of the Order.
3. The Applicant Tenant shall pay any further rent outstanding from 07 July 2016 to the Respondent Landlord at the rate of €1,200.00 per month or proportionate part thereof at the rate of €39.45 per day unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as she vacates the above dwelling.
4. The Respondent Landlord shall pay the total sum of €300.00 to the Applicant Tenant, within 14 days of the date of issue of the Order, being damages for breach of landlord obligations under s. 12(1)(b) of the Residential Tenancies Act 2004 for failure to carry out necessary repairs, in respect of the tenancy of the dwelling at the above address.
5. The Respondent Landlord shall refund the entire of the security deposit of €1,000.00 to the Applicant Tenant, upon the Applicant Tenant vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
6. That the allegation of breach of the Respondent Landlord's obligations to maintain the dwelling and breach of quiet and peaceful enjoyment are not upheld.
7. That the allegation of breach of Respondent Landlord's obligation to maintain the structure of the dwelling in accordance with the minimum standards is upheld in relation to the period after the fire in the premises occurred.

This Order was made by the Residential Tenancies Board on 19 August 2016.



Noel Conroy  
Board Member

Duly authorised to sign on behalf of the Board



Claire Diggin  
Higher Executive Officer

Duly authorised to sign on behalf of the Board