

## Residential Tenancies Board

### Determination Order

**Ref: DR0516-26480**

In the matter of David Kiely, Tomas Kiely [Applicant Landlords] and Sylwester Mikloajek, Katarzyna Sojka [Respondent Tenants] 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 15th June 2015 by the Applicant Landlords on the Respondent Tenants, in respect of the tenancy of the dwelling at 58 Leacon Fionn, Dungarvan, Co. Waterford is valid.
2. The Respondent Tenants and any persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the issue of this Order.
3. The Applicant Landlords shall pay the sum of €300.00 to the Respondent tenants, within 14 days of the issue of this Order by way of damages for breach of s12(1)(a) of the Act, in respect of the tenancy of the dwelling at the above address.
4. The Respondent Tenants shall pay any rent outstanding from 04 July 2016, at the rate of €650.00 per month and/or €21.37 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month/day or part thereof, until such time as they vacate the above dwelling.
5. The Applicant Landlords shall refund the entire of the security deposit of €650 to the Respondent Tenants, on gaining vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 02 September 2016.



Tim Ryan  
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