

Private Residential Tenancies Board

Determination Order

Ref: TR0514-000639/DR0813-07205

In the matter of William Connaughton, Carmel Connaughton [Appellant Landlord(s)] and Lorraine Hens, Johan Hens [Respondent Tenant(s)] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

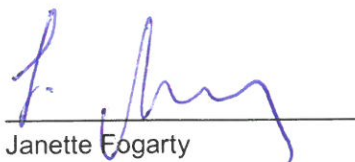
1. The Appellant Landlords shall pay to the Respondent Tenants the sum of €245.41 within 14 days of the date of the issue of this Determination, being the portion of the entire security deposit of €450.00 which is deemed to be unjustifiably retained by the Appellant Landlord having justifiably retained the sum of €204.59 comprising €29.59 (compensation for 2 days overholding), €150.00 (for cleaning expenses incurred) and €25.00 (for electricity costs incurred) resulting from the Respondent Tenants breaching their statutory obligations under the Act in respect of the tenancy of the dwelling at Carrickaneha, Drumraney, Athlone, County Westmeath.
2. If the return of the Respondent Tenants' goods/property in the dwelling has not already been effected as agreed between the parties at the Tribunal Hearing then within 7 days of the date of issue of this Determination Order the First Named Respondent Tenant shall provide effective details for the purpose of making contact with her, even if only of a temporary nature or through an intermediary, to the Second Named Appellant Landlord and within 7 days of that contact detail being provided the Appellant Landlords shall send notification to the Respondent Tenants of the availability of their goods for collection and the Respondent Tenants shall collect all of the said goods on a date and time to be notified at least 48 hours in advance by the Respondent Tenants to the Appellant Landlords and that date shall be within 14 days of the original date of notification by the Appellant Landlord to them. The appointed time shall be between the hours of 8 a.m. and 7 p.m. on the appointed day. The Appellant Landlords shall facilitate and shall ensure that there is no impediment or obstruction present to the removal of the goods by the Respondent Tenants through in particular ensuring that access to the goods on the Appellant Landlords' property from the public road is not obstructed at the time of removal of the goods. All of the above actions are to be carried out in a manner that ensures effective compliance with the intent and meaning of this Order. For the purposes of clarity of record all communications and notifications cited in this Order are to be issued in writing.

This Order was made by the Private Residential Tenancies Board on 8 August 2014.



Catriona Walsh
Chairperson

Duly authorised to sign on behalf of the Board



Janette Fogarty
Assistant Director

Duly authorised to sign on behalf of the Board