

Private Residential Tenancies Board

Determination Order

Ref: TR1113-000501/DR0913-07589

In the matter of Ita O'Malley, Sean O'Malley [Appellant Landlord(s)] and Katty Aerts [Respondent Tenant] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

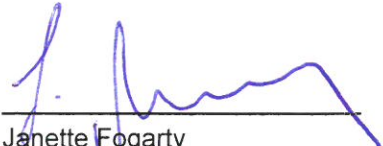
1. The Appellant Landlords shall pay the total sum of €9,545.15 to the Respondent Tenant in 6 payments of €1,500 per calendar month on the 28th day of each month, followed by one final payment of €545.15 in the immediately succeeding month commencing the next month after the date of issue of this Order. This sum represents damages of €12,500 for the unlawful termination of the tenancy, damages of €1,500 for the failure to give the Respondent Tenant peaceful and exclusive occupation of the dwelling, and €420 in electricity charges attributable to the Appellant Landlords, having taken into account €4,874.85 in rent arrears in respect of the dwelling at Boleyglass, Bofeenau, Ballina, County Mayo.
2. The enforcement of the Order for such payment will be deferred and the total sum owing will be reduced by the quantum of instalments paid to the Respondent on each due date until the sum of €9,545.15 has been paid in full;
3. For the avoidance of doubt any default in the payment of the monthly instalments shall act to cancel any further deferral and the balance due at the date of default shall immediately become due and owing to the Respondent Tenant.
4. The Respondent Tenant shall at any time but no later than 28 days after receiving the first instalment of the sums set out above furnish the Appellant Landlords or their representative a list of three suitable dates for the collection of her possessions. The Appellant Landlord shall select one such date to facilitate the collection of possessions within a further 10 days. Each party shall be entitled to have no more than one representative present (unless they agree in writing otherwise) at the collection of the possessions from the dwelling by the Respondent Tenant

This Order was made by the Private Residential Tenancies Board on 1 August 2014.



John FitzGerald
Board Member

Duly authorised to sign on behalf of the Board



Janette Fogarty
Assistant Director

Duly authorised to sign on behalf of the Board