

Residential Tenancies Board

Determination Order

Ref: DR1117-38702

In the matter of Teresa Ward [Applicant Tenant] and Linda Griffin [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Respondent Landlord shall pay the total sum of €300.00 to the Applicant Tenant, within 28 days of the date of issue of the Order, being damages for breach of landlord obligations under section 12(1)(a) of the Residential Tenancies Act 2004 by unlawfully interfering with the Applicant Tenant's right to peaceful and exclusive occupation of the dwelling at Upper Floor, 34 Lorcan O'Toole Park, Kimmage, Dublin 12.
2. The Notice of Termination served on 21 December 2017 by the Respondent Landlord on the Applicant Tenant in respect of the tenancy of the dwelling at Upper Floor, 34 Lorcan O'Toole Park, Kimmage, Dublin 12 is valid.
3. The Applicant Tenant and all persons residing in the above dwelling shall vacate and give up vacant possession of the above dwelling within 28 days of the date of issue of the Order.
4. The Applicant Tenant shall continue to pay rent from 18 January 2018 to the Respondent Landlord at the rate of €950.00 per month or proportionate part thereof at the rate of €31.23 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.
5. The Respondent Landlord shall refund the entire of the security deposit of €950.00 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.

This Order was made by the Residential Tenancies Board on 13 March 2018.



Professor Paddy Gray
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