

Residential Tenancies Board

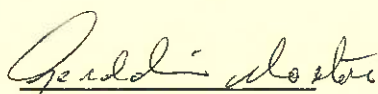
Determination Order

Ref: DR0123-82112

In the matter of James Hayes, Cathrina Hayes [Applicant Tenants] and Jack Crosse [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Applicant Tenants' claim against the Respondent Landlord for Unlawful Termination of the tenancy of the dwelling at Ballycranna, Kilross, Co. Tipperary, E34TF80, is upheld.
2. The Respondent Landlord shall pay the total sum of €12,770.00 within 28 days of the date of issue of this Determination Order, being damages of €6,500.00 for the consequences of unlawfully terminating the Applicant Tenants' tenancy of the above dwelling, and the sum of €6,270.00 being the replacement cost of furniture and personal effects of the Applicant Tenants of which they were unlawfully deprived by the Respondent Landlord and his agents.
3. The Respondent Landlord shall repay the total sum of €2,000.00 to the Applicant Tenants, within 28 days of the date of issue of the Determination Order, being the unjustifiably retained security deposit of 1,600.00, together with damages of €400.00 for its unlawful retention.
4. The Respondent Landlord shall return a canvas painting the property of the second named Applicant Tenant, within 7 days of the date of issue of the Determination Order, undamaged, or pay €400.00 damages to the Applicant Tenants in lieu.
5. The Respondent Landlord shall return the first named Applicant Tenant's wedding ring to him within 7 days of the date of issue of the Determination Order, or pay the Applicant Tenants €500.00 damages in lieu.
6. The Respondent Landlord shall return the first named Applicant Tenant's prototype dual dryer, in working condition, within 7 days of the date of issue of the Determination Order, or pay €3,000.00 damages in lieu.

This Order was made by the Residential Tenancies Board on 12 July 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director