

Residential Tenancies Board

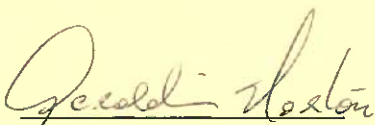
Determination Order

Ref: DR0124-92339 / DR0224-93226

In the matter of Lesley Lepoidevin, Peter Claridge-Bowler [Applicant/Respondent Tenant(s)] and David Fitzgerald [Respondent/Applicant 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 €1,250.00 to the Applicant Tenants, within 21 days of the date of issue of the Determination Order, being damages for breach of landlord obligations pursuant to Section 12(1)(b) of the Act for failure to carry out necessary repairs, in respect of the tenancy of the dwelling at Apartment 1, 1 Upper William Street, Limerick.
2. The Notice of Termination with a date of service of 18/12/2023, served by the Respondent Landlord on the Applicant Tenants, in respect of the tenancy of the above dwelling is valid.
3. The Applicant Tenants and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 21 days of the date of issue of the Determination Order.
4. The Applicant Tenants shall pay the sum of €11,250.00 to the Respondent Landlord, within 21 days of the date of issue of the Determination Order, being €12,500.00 rent arrears in respect of the tenancy of the above dwelling, less the sum of €1,250.00 awarded to the tenants at paragraph 1 above.
5. The Applicant Tenants shall continue to pay any further rent outstanding to the Respondent Landlord from 8/04/2024, being the date of the Adjudication Hearing, at the rate of €1,250.00 per month, or proportionate part thereof at the rate of €41.10 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 the above dwelling is vacated by the Applicant Tenants and any other persons residing therein.
6. The Respondent Landlord is entitled to retain the security deposit of €1,250.00 and set it off against rent arrears.

This Order was made by the Residential Tenancies Board on 03 July 2024.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director