

## Residential Tenancies Board

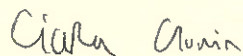
### Determination Order

**Ref: DR0222-75454**

In the matter of Darlington Imade [Applicant Tenant] and Vita Trucinskiene [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Landlord failed to serve a valid Notice of Termination on the Applicant Tenant, and illegally evicted the Applicant Tenant, in circumstances where the Landlord forcibly removed some of the Applicant Tenant's belongings from the dwelling at, 78 Greenfort Lawns, Dublin 22, D22R6F6.
2. Under section 115(d) of the Act, the Respondent Landlord shall pay damages to the Applicant Tenant for illegally evicting the Applicant Tenant from the above Dwelling, in February 2022, in the sum of €4,000.00, within 28 days of the date of this Determination Order.
3. The Respondent Landlord is in breach her obligations under section 12(1)(a) of the Act, to allow the Respondent Tenant peaceful enjoyment of the above dwelling.
4. The Applicant Landlord shall pay damages to the Respondent Tenant for breach of her obligations under section 12(1)(a) of the Act, in the sum of €500, within 28 days of the date of this Determination Order.
5. The Applicant Landlord is in breach of her obligation under section 12(1)(d) of the Act, to refund the deposit of €585 to the Respondent Tenant at the end of the tenancy.
6. The Respondent Landlord also failed to repay the rent overpaid by the Tenant in the sum of €134.61 when he vacated the room in the above dwelling.
7. The Respondent Landlord shall refund the sum of €719.61 to the Applicant Tenant, which represents the sum of the deposit and rent overpaid, within 28 days of the date of this Determination Order.
8. The Respondent Landlord is not in breach of her obligations under section 12(1)(b) of the Act, regarding the standard and maintenance of the above dwelling.

This Order was made by the Residential Tenancies Board on 08 June 2022.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director