

Residential Tenancies Board

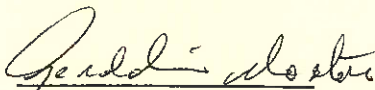
Determination Order

Ref: DR0523-85374

In the matter of Tara Hendron [Applicant Tenant] and Karen McHugh Samways [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date of service of 19th April 2023, served by the Respondent Landlord on the Applicant Tenant, in respect of the tenancy of the dwelling at Kilglass, Ahascragh, Ballinasloe, Galway, H53R663, is valid.
2. The Applicant Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling on 26th November 2023 or within 28 days of the date of issue of this Determination Order, whichever is later.
3. The Notice of Rent Review with a date of service of 2nd May 2023, served by the Respondent Landlord on the Applicant Tenant, in respect of the tenancy of above dwelling is invalid.
4. The Applicant Tenant shall also pay any further rent outstanding from 25th July 2023, being the date of the Adjudication Hearing, at the rate of €650.00 per month or proportionate part thereof at the rate of €21.37 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each month or part thereof, until such time as the above dwelling is vacated by the Applicant Tenant and any other persons residing therein.
5. The Respondent Landlord shall refund the security deposit of €650.00 to the Applicant Tenant, on gaining vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
6. The Respondent Landlord shall pay the Applicant Tenant the sum of €1,550.00 in respect of breaches of landlord obligations in respect of the tenancy of the above dwelling within 28 days of the date of the issue of this Determination Order

This Order was made by the Residential Tenancies Board on 11 October 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director