Residential Tenancies Board

Determination Order

Ref: DR0621-70014, DR0521-69646

In the matter of John Keogh [Applicant/Respondent Landlord] and Gareth Maguire, Jennifer Oliveira [Respondent/Applicant Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Applicant on 21 April 2021 on the Respondent/Applicant Tenants in respect of the tenancy of the dwelling at 23 Lissadel Wood, Swords Road, Malahide, Dublin, K36VN30 is valid.

2. The Respondent/Applicant Tenants and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 90 days of the date of issue of this Order.

3. The Respondent/Applicant Tenants shall pay any further rent outstanding to the Applicant/Respondent Landlord at the rate of €2,500.00 per month or proportionate part thereof at the rate of €82.19 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 he vacates the above dwelling.

4. The Landlord shall refund the entire of the security deposit of €2,500.00 to the Respondent/Applicant Tenants, upon the Respondent/Applicant Tenants vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

5. The Applicant/Respondent Landlord shall pay the total sum of €3,125.00 to the Respondent/Applicant Tenants, within 28 days of the date of issue of this Order, being damages for the Applicant/Respondent Landlord's failing to allow the Tenants to enjoy peaceful and exclusive occupation of the dwelling, failure to comply with his obligations under the Act and breach of landlord obligations and standard and maintenance of the dwelling.

This Order was made by the Residential Tenancies Board on 22 December 2021.

Ciara Cronin
Higher Executive Officer
Duly authorised to sign on behalf of the Director