

## Residential Tenancies Board

### Determination Order

Ref: DR0722-78257

In the matter of Gráinne Harris, Patrick O'Gorman, Aine Guildea, Rose Hübler [Applicant Tenants] and Cloudview Properties [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 18/6/2022, served by the Respondent Landlord on the Applicant Tenants, in respect of the tenancy of the dwelling at 17 Willow Park View, Athlone, Co. Westmeath, N37A9F7, is invalid.
2. The Respondent Landlord shall pay the total sum of €1,540.33 to Aine Guildea within 21 days of the date of issue of this Determination Order, being damages of €2,092.33 after the deduction of rent arrears in the sum of €552.00, for the consequences of unlawfully terminating the Applicant Tenant's tenancy of the above dwelling.
3. The Respondent Landlord shall pay the total sum of €2,035.33 to Patrick O'Gorman within 21 days of the date of issue of this Determination Order, being damages of €2,237.33 after the deduction of rent arrears in the sum of €202.00, net of the deduction of the permitted retained part of the security deposit in the sum of €25.00 for the consequences of unlawfully terminating the Applicant Tenant's tenancy of the above dwelling.
4. The Respondent Landlord shall pay the total sum of €2,035.33 to Grainne Harris within 21 days of the date of issue of this Determination Order, being damages of €2,237.33 after the deduction of rent arrears in the sum of €202.00, net of the deduction of the permitted retained part of the security deposit in the sum of €25.00 for the consequences of unlawfully terminating the Applicant Tenant's tenancy of the above dwelling.
5. The Applicant Tenant's application, regarding deposit retention in respect of the tenancy of the above dwelling, is not upheld.
6. The Respondent Landlord shall pay the total sum of €500.00 to each of Grainne Harris, Patrick O'Gorman and Aine Guildea within 21 days of issue of this Determination Order for damages for failing to comply with the Housing (Rent Book) Regulations 1993, in respect of the tenancy of the above dwelling.
7. The Respondent Landlord shall pay the total sum of €45.00 to each of Grainne Harris, Patrick O'Gorman and Aine Guildea within 21 days of issue of this Determination Order for damages for failing to comply with Section 12(1)(b)(i) of the Residential Tenancies Act 2004, as amended, in respect of the tenancy of the above dwelling.

This Order was made by the Residential Tenancies Board on 12 October 2022.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director