

Residential Tenancies Board


Determination Order

Ref: DR0818-46984

In the matter of Roisin O'Brien, Wesley Kenny [Applicant Tenants] and Thomas G O'Reilly [Respondent Landlord] 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 Respondent Landlord on 31st August 2018 on the Applicant Tenants in respect of the tenancy of the dwelling at Rath an Ri View, Kingsfort Lane, Moynalty, Kells, Co. Meath is valid.
2. The Applicant Tenants and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling on or before 27th February 2019 or within 28 days of the date of issue of this Order, whichever is the later.
3. The Respondent Landlord shall pay the total sum of €2,050 to the Applicant Tenant, within 28 days of the date of issue of this Order, being damages for breach of landlord obligations under s. 12(1)(a) of the Residential Tenancies Act 2004 by unlawfully interfering with the Applicant Tenant's right to peaceful and exclusive occupation of the above dwelling and failure to provide the Applicant Tenants with a microwave oven in accordance with para. 7(2)(d) of the Housing (Standards for Rented Houses) Regulations 2017.
4. The Respondent Landlord's claim regarding breach of tenant obligations under section 16(l) of the Residential Tenancies Act 2004 by causing an alternation to the Rented Dwelling without his written consent is not upheld.
5. The Respondent Landlord shall refund the entire of the security deposit of €1,500 to the Applicant Tenants, upon the 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.

This Order was made by the Residential Tenancies Board on 08 January 2019.



Emer Morrissey
Higher Executive Officer
Duly authorised to sign on behalf of the Director