

Residential Tenancies Board

Determination Order

Ref: DR0818-47701

In the matter of John Leydon [Applicant Tenant] and Michael Tully [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 on 18 July 2018 by the Respondent Landlord on the Applicant Tenant in respect of the tenancy of the dwelling at Flat 2, 39 Addison Road, Fairview, Dublin 3 is valid.
2. The Applicant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling on or before 4th March 2019 or within seven days of the date of issue of this Determination Order, whichever is the later.
3. The Applicant Tenant's application, in respect of the Respondent Landlord's breach of his obligation to maintain the standards of the dwelling pursuant to section 12(1)(b) of the Residential Tenancies Act 2004, is not upheld.
4. The Applicant Tenant is in breach of his obligation pursuant to section 16(e) in failing to allow the landlord, or any person or persons acting on the landlord's behalf, reasonable access to the dwelling for the purposes of allowing any works (the responsibility for the carrying out of which is that of the landlord) to be carried out.

This Order was made by the Residential Tenancies Board on 01 March 2019.

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Gary Byrne

Higher Executive Officer

Duly authorised to sign on behalf of the Director