

Residential Tenancies Board

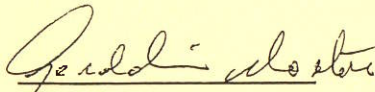
Determination Order

Ref: DR0823-87832

In the matter of Helena Porebska [Applicant Tenant] and Anthony McCarthy, Fiona McCarthy [Respondent Landlords] 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 December 2023, served by the Respondent Landlords on the Applicant Tenant in respect of the tenancy of the dwelling at 14 Meadowlands, Kinsale, Co. Cork, is valid.
2. The Applicant Tenant and any other persons residing in the above dwelling shall vacate and give up vacant possession, of the above dwelling, at the end of the termination date of 30 June 2024.
3. The Respondent Landlords shall return the entire of the deposit of €640 to the Applicant Tenant on the Applicant Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
4. The Respondent Landlords have breached their obligations under section 12(1)(b) of the Act and failed to meet the minimum standards required in respect of heating for the above dwelling.
5. The Respondent Landlords shall pay the Applicant Tenant the sum of €2,500 in damages for their breach of obligation under paragraph 4 above, such amount to be paid within 28 days of the issue of the Determination Order.
6. The Respondent Landlords failed to pass on electricity credits due to the Applicant Tenant between 2022 and 2024. The Respondent Landlords shall pay €200 to the Applicant Tenant in respect of the electricity credits received by them in 2022/2023 within 28 days of the Determination Order. In respect of the electricity credits received (or to be received), in 2023/2024, the Respondent Landlords shall ensure that the Applicant Tenant promptly receives the full amount of these electricity credits, namely three credits of €150 each.

This Order was made by the Residential Tenancies Board on 27 March 2024.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director