

Residential Tenancies Board

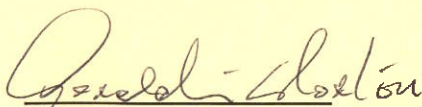
Determination Order

Ref: DR0922-79839, DR1022-80561

In the matter of Melissa Morefield, Mark Donaghy [Applicant/Respondent Tenants] and Darren Judge [Respondent/Applicant Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Applicant Tenant's application, regarding the Respondent Landlord's alleged breach of obligations under the Act in failing to maintain the dwelling, in respect of the tenancy of the dwelling at Apartment 22, The Oaks, Pelletstown Manor, Dublin 15, D15NY61, is not upheld.
2. The Notice of Termination with a date of service of 23 August 2022 served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling, is valid.
3. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 60 days of the date of issue of this Determination Order.
4. The Respondent Tenant shall pay the sum of €9,690.48 to the Applicant Landlord, within 28 days of the date of issue of the Determination Order, being rent arrears in respect of the tenancy of the above dwelling.
5. The Respondent Tenant shall continue to pay any further rent outstanding to the Applicant landlord from 2 March 2023, being the date of the Adjudication Hearing, at the rate of €1,537.00 per month, or proportionate part thereof at the rate of €50.53 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 the above dwelling is vacated by the Respondent Tenant and any other persons residing therein
6. The Applicant Landlord shall refund the security deposit of €1,400.00 to the Respondent Tenant, on gaining 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 7 June 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director