

Residential Tenancies Board


Determination Order

Ref: DR1022-80286

In the matter of John Skelly [Applicant Landlord] and Zivile Miksenaitė [Respondent Tenant] 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 16/11/21, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Flat 3, 6, Emorville Ave, South Circular Road, Dublin 8, D08H2C5, is valid.
2. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the sum of €500.00 to the Applicant Landlord, within 14 days of the date of issue of this Determination Order, being damages in respect of the inconvenience, stress and frustration occasioned by the breach of Section 16(h).
4. The Respondent Tenant shall continue to pay any further rent outstanding to the Applicant Landlord from 28/11/22, being the date of the Adjudication Hearing, at the rate of €200.00 per week, or proportionate part thereof at the rate of €28.49 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement, for each week or part thereof, until such time as the above dwelling is vacated by the Respondent Tenant and any other persons residing therein.
5. The Applicant Landlord shall refund the security deposit of €500.00 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 25 January 2023.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director