

Residential Tenancies Board

Determination Order

Ref: DR1218-50528

In the matter of Andrea Malone [Applicant Tenant] and Mary McNulty [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 18th January 2019 on the Applicant Tenant in respect of the tenancy of the dwelling at 37 The Cox, The Orchard, Lucan, Co. Dublin 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 15th March 2019 or within 35 days of the date of issue of this Order, whichever is the later.
3. The Respondent Landlord shall pay the total sum of €2,000 to the Applicant Tenant, within 35 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.
4. The Respondent Landlord shall refund the entire of the security deposit of €1,300 to the Applicant Tenant, upon the Respondent Tenant 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 04 April 2019.



Gary Byrne

Higher Executive Officer

Duly authorised to sign on behalf of the Director