

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1022-80321**

In the matter of Eoghan Mellett [Applicant Tenant] and John Paul Nugent [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Respondent Landlord is required to permit the Applicant Tenant to return to occupation of the tenancy of the dwelling at 33A Kingswood View, Dublin 24, D24YA8H, within 7 days of the date of issue of this Determination Order.
2. The Respondent Landlord shall allow the Applicant Tenant to have peaceful and exclusive occupation of the tenancy of the above dwelling.
3. The Respondent Landlord shall pay the total sum of €20,000.00 to the Applicant Tenant, by way of 4 consecutive monthly instalments at the rate of €5,000.00 per month, on or before the 28th day of each month, commencing in the month immediately following the month of issue of this Determination Order. This sum represents damages for the consequences of unlawfully terminating the Applicant Tenant's tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €20,000.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Landlord to the Applicant Tenant, on each due date, until such time as the total sum has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the monthly instalments shall act to cancel any further deferral and the balance due at the date of default of any such monthly payment shall immediately become due and owing to the Applicant Tenant.

This Order was made by the Residential Tenancies Board on 01 March 2023.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director