

Residential Tenancies Board

Determination Order

Ref: TR0118-002803/DR1217-39412

In the matter of James McKevitt [Appellant Landlord(s)] and Marta Wieczorek, Waldemar Wieczorek [Respondent Tenant(s)] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

In the matter of James McKevitt (Landlord) and Marta Wieczorek and Waldemar Wieczorek (Tenant) the Tribunal in accordance with section 108(1) of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Appellant Landlord on the Respondent Tenants dated 10 November 2017 in respect of the tenancy of the dwelling at 52 The Park, Martello Village, Dublin Road, Drogheda, Louth, A92A006 is invalid.
2. The Notice of Termination served by the Appellant Landlord on the Respondent Tenants dated 4 December 2017 in respect of the tenancy of the dwelling at 52 The Park, Martello Village, Dublin Road, Drogheda, Louth, A92A006 is valid.
3. The Landlord is in breach of his obligations pursuant to section 12 (1) (ii) of the Act.
4. The Respondent Tenants and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 56 days of the issue of the order.
5. The Respondent Tenants shall continue to pay rent at the rate of €800 per month, or proportional part thereof at the rate of €26.30 per day, and any other charges as set out in the terms of the tenancy agreement, for each month or part thereof, until the Respondent tenants vacate the above dwelling.
6. The Appellant Landlord shall refund the Respondent Tenants security deposit of 750.00 upon the Respondent tenants 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 19 June 2018.



Justin O'Brien
Board Member
Duly authorised to sign on behalf of the Board



Carolyn O'Brien
Higher Executive Officer
Duly authorised to sign on behalf of the Board