

Residential Tenancies Board

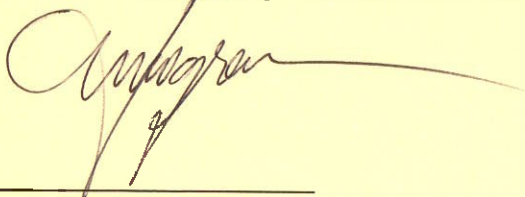
Determination Order

Ref: TR0324-007333/DR0623-86147

In the matter of Caoimhin De Burca [Appellant Landlord] and Brenda Harrington [Respondent Tenant] 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 Appellant Landlord on the 1 September 2023 on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 136, Block C, Castleforbes Square, Dublin 1, D01PP46 is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 42 days of the date of issue of this Determination Order in respect of the tenancy of the dwelling at Apartment 136, Block C, Castleforbes Square, Dublin 1, D01PP4.
3. The complaint regarding the breach of the Appellant Landlord's obligations in the standard and maintenance of the dwelling pursuant to Section 12(1)(b) of the Act in respect of the tenancy of the dwelling at Apartment 136, Block C, Castleforbes Square, Dublin 1, D01PP46 is not upheld.
4. The Appellant Landlord shall pay damages in the amount of €500.00 for breach of the Landlord's obligations pursuant to Section 12(1)(a) of the Act, for unlawfully interfering with the Tenant's right to enjoy peaceful occupation of the dwelling within 42 days of the date of issue of this Determination Order in respect of the tenancy of the dwelling at Apartment 136, Block C, Castleforbes Square, Dublin 1, D01PP46.
5. The Respondent Tenant shall continue to pay any further rent outstanding to the Appellant Landlord from the 1 May 2024, being the date of the Tribunal Hearing, at the rate of €1,150 per month, or proportionate part thereof at the rate of €37.81 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, in accordance with paragraph 2 above.

This Order was made by the Residential Tenancies Board on 12 June 2024.



Emilia Zagrean
Higher Executive Officer
Duly authorised to sign on behalf of the Director