

Residential Tenancies Board

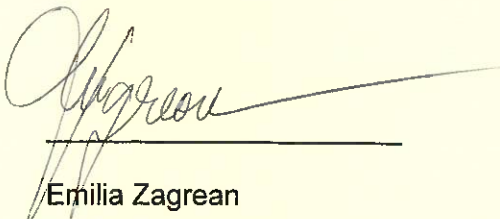
Determination Order

Ref: TR0422-005434/DR1121-73910

In the matter of Jana Kazmierkiewicz [Appellant Tenant] and Frank Lyons [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 on the 8th of November 2021 by the Respondent Landlord on the Appellant Tenant in respect of the tenancy of the dwelling at Apartment 71, Hyde Square, South Circular Road, Dublin 8, D08X073 is valid.
2. The Appellant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Determination Order.
3. The Appellant Tenant shall continue to pay rent at the rate of €1,700.00 per month or proportionate part thereof at the rate of €55.89 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 she vacates the above dwelling.
4. The Respondent Landlord shall refund to the Appellant Tenant the entire of the security deposit of €1,700.00 on gaining vacant possession of the above dwelling less any amounts properly withheld in accordance with the provisions of the Act.
5. The Respondent Landlord shall pay the total sum of €1,500.00 to the Appellant Tenant within 28 days of the date of the issue of this Determination Order. This sum represents damages of €1,500.00 for the breach of the Respondent Landlord's obligations under the Act and in particular Section 12 (1) (b) thereof in respect of the tenancy in the above dwelling.

This Order was made by the Residential Tenancies Board on 31 August 2022.



Emilia Zagrean

Higher Executive Officer

Duly authorised to sign on behalf of the Director