

## **Residential Tenancies Board**

### **Determination Order**

**Ref: TR0519-003728/DR0219-51814**

In the matter of Chris Davison, Diane Davison [Appellant / Respondent Landlords] and Garrett Brandon, Virginia Segura [Respondent / Appellant Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

- (i) The Notice of Termination served on 10 January 2019 by the Appellant / Respondent Landlords on the Respondent / Appellant Tenants in respect of the tenancy of the dwelling at 1 Tubbermore Avenue, Dalkey, County Dublin, is valid.
- (ii) The Respondent / Appellant Tenants, and all persons, residing in the dwelling at Tubbermore Avenue, Dalkey, County Dublin, shall vacate and give-up possession of the dwelling on 1 September 2019 or within a period of 35 days of the date of issue of this Order, whichever is the later.
- (iii) The Respondent / Appellant Tenants shall continue to pay rent at the rate of €1,500 per month or proportional part thereof at the rate of €49.32 per day, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof until such a time as the Respondent / Appellant Tenants and all other persons vacate the dwelling at Tubbermore Avenue, Dalkey, County Dublin.
- (iv) The Appellant / Respondent Landlords shall refund the entire of the security deposit to the Respondent / Appellant Tenants, upon the Respondent / Appellant Tenants vacating and giving up vacant possession of the dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
- (v) The Appellant / Respondent Landlords shall pay the total sum of €1,812.50 to the Respondent / Appellant Tenants within a period of 28 days of the date of issue of this Order, being damages for breach of the Appellant / Respondent Landlords obligations under Section 12(1)(b) of the Residential Tenancies Act, 2004, in relation to the standard and maintenance of the dwelling at Tubbermore Avenue, Dalkey, County Dublin.

This Order was made by the Residential Tenancies Board on 16 August 2019.



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Carolyn O'Brien

Higher Executive Officer

Duly authorised to sign on behalf of the Director