

Residential Tenancies Board

Determination Order

Ref: TR0621-004995/DR0321-68493

In the matter of Isreal Adediran and Kasia Szarlejko [Appellant Tenants] and Philip Donnelly [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 19 April 2021, by the Respondent Landlord on the Appellant Tenants, in respect of the tenancy of the dwelling at Apartment 7, Belhavel, Golden Island, Athlone, Co. Westmeath, is valid.
2. The Appellant Tenants, and any other person/s currently residing in the above dwelling, shall vacate and give up possession of the above dwelling within 14 days of the date of issue of this Determination Order.
4. The Appellant Tenants shall pay the total sum of €8,813.43 to the Respondent Landlord, within 42 days of the date of issue of this Determination Order, being made up of rent arrears of €9,313.43 less €500.00 damages for breach of landlord obligations under section 12(1)(b) of the Residential Tenancies Acts 2004-2021 for failure to carry out necessary repairs, in respect of the tenancy of the above dwelling.
5. The Appellant Tenants shall also pay any further rent outstanding from the 21st of October 2021, being the date of the tribunal hearing, to the Respondent Landlord, at the rate of €1150.00 per month or proportionate part thereof at the rate of €37.81 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as they vacate the above dwelling.
6. The Respondent Landlord shall refund the entire of the security deposit of €1150 to the Appellant Tenants, upon the Appellant Tenants vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of Section 12 (4) of the Residential Tenancies Act 2004-2021.

This Order was made by the Residential Tenancies Board on 08 December 2021.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director