

Residential Tenancies Board

Determination Order

Ref: TR1118-003340/DR0818-46976

In the matter of Ivana Prokopovicova [Appellant Tenant] and Giuseppe Pontillo [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 by the Respondent Landlord on 3 July 2018 on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 3, Ardilaun Haigs Terrace, Tralee, Co. Kerry, also known as Apartment 3, Ardilaun, 10A Haigs Terrace, Tralee, Co. Kerry 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 14 days of the date of issue of this Order.
3. The Appellant Tenant shall also pay any further rent outstanding from 11 February 2019 to the Respondent Landlord at the rate of €100.00 per week per month or proportionate part thereof at the rate of €14.67 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 the entire of the security deposit of €400 to the Appellant Tenant, upon the Appellant Tenant vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
5. The Appellant Tenant within 14 days of the date of issue of this Order shall pay the sum of €1,500 to the Respondent Landlord in respect of damages for overholding.
6. Costs are not awarded to the Respondent Landlord against the Appellant Tenant.

This Order was made by the Residential Tenancies Board on 22 March 2019.



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