Residential Tenancies Board

RESIDENTIAL TENANCIES ACT 2004

Report of Case Reference: DR0002611 - TR0001757

Appellant Landlord(s):	Garrett Leonard, Niamh Leonard
Respondent Tenant(s):	Hubert Jakubowski, Katarzyna Melonek
Address of rented dwelling:	25 Drynam Drive, Drynam Hall, Kinsealy, Dublin K67 VF97
Tribunal:	Dairine MacFadden (Chairperson) Anne Leech, Finian Matthews
Venue:	Virtual
Date & time of hearing:	28/08/2026 10:30:00
Attendees:	For the Appellant Landlords ("the Landlords"): Niamh Leonard For the Respondent Tenants ("the Tenants"): Katarzyna Melonek and Hubert Jakubowski

1. Background:

On 05/08/2025 the Tenants(s) made an application to the Residential Tenancies Board ("the RTB"). The matter was referred to an Adjudication which took place on 07/01/2026.

Subsequently the Landlord(s) submitted an Appeal on 10/04/2026. This was approved by the Board.

The RTB constituted a Tenancy Tribunal and appointed Anne Leech, Finian Matthews, Dairine MacFadden as Tribunal members pursuant to Section 102 and 103 of the Act and appointed Dairine MacFadden to be the chairperson of the Tribunal ("the Chairperson"). The Parties were notified of the constitution of the Tribunal and provided with details of the date, time, and venue set for the hearing. On 28/08/2026 the Tribunal convened a hearing.

2. Documents submitted prior to the hearing included:

Adjudication Case Files and Tribunal Case Files 1 and 2.

3. Documents submitted at the hearing included:

None

4. Procedure:

The Chairperson asked the participating parties to identify themselves and to identify in what capacity they were taking part in the Tribunal. Ms. Leonard confirmed that she also had the authority of the other landlord to represent him.

The Chairperson noted that the Landlords had not received notice of the adjudication hearing and had therefore been offered a rehearing which had not happened. It was

explained that, although the Tribunal appeal was a rehearing of the dispute, proceeding directly to the Tribunal would afford the Landlords only one opportunity to present their case, rather than the two-stage adjudication and appeal process. Having been given the option of seeking a rehearing at adjudication, the Landlord present elected to proceed with the Tribunal hearing.

The Chairperson asked the Landlord present to confirm that she had received the relevant papers from the RTB in relation to the case. She was also asked to confirm that they had received the RTB document entitled “Tribunal Procedures”. The Tribunal noted that evidence had been also submitted late the evening prior to the hearing which the Tribunal had not seen and that if this was to be relied upon the parties the Tribunal would address it at that point.

The Chairperson explained the procedure which would be followed; that the Tribunal was a formal procedure but that it would be held in as informal a manner as was possible; that the Landlord present at the hearing would be invited to present the Landlords case first; that there would be an opportunity for cross-examination by the Tenants; that the Tenants would then be invited to present their case and that there would be an opportunity for cross-examination by the Landlord present at the hearing.. The Chairperson said that members of the Tribunal might ask questions of both Parties from time to time. The Chairperson explained that following this, both parties would be given an opportunity to make a final submission.

She stressed that all evidence would be on oath or affirmation and recorded by a recording technician, and she reminded the parties that knowingly providing false or misleading statements or information to the Tribunal was an offence punishable by a fine of up to €4,000 or up to 6 months imprisonment or both.

She said that following the hearing, the Board would make a Determination Order which would be issued to the parties and that it was the practice of the RTB to publish reports of hearings and determination orders on its website. She explained that the hearing before the Tribunal was a de novo hearing and a final hearing as to matters of fact and that a Determination Order made by the RTB could be appealed to the High Court on a point of law only.

The Chairperson stated that the Tribunal would be willing to consider a short adjournment for the purpose of allowing the parties, should they so wish, to enter without prejudice negotiations to try to reach a consent settlement of their dispute. The parties availed of the opportunity and were able to reach an agreement.

5. Verbal Submissions

As the parties reached an agreement between themselves that was to remain confidential between the parties, there were no further submissions to the Tribunal.

6. Matters agreed between the parties:

The parties reached an agreement among themselves that resolved the dispute in full and were satisfied that their agreement would form the basis of an order made by the RTB. The terms of the agreement were read into the record, and the parties assented to same. It was explained to the parties that there was no cooling off period.

7. Findings and reasons:

The Tribunal was not required to make any findings, given that the parties reached an agreement among themselves which resolved the dispute in full.

8. Determination:

In the matter of Garrett Leonard and Niamh Leonard (Appellant Landlords), and Katarzyna Melonek and Hubert Jakubowski (Respondent Tenants) in accordance with s.108(1) of the Residential Tenancies Act 2004:

The Tribunal hereby adopts the agreement of the parties dated 28 August 2026, the terms of which shall remain confidential, which is annexed hereto and forms part of the Determination Order of the Board, in respect of the tenancy of the dwelling at 25 Drynam Drive, Drynam Hall, Kinsealy, K67VF97.

The Tribunal hereby notifies the Residential Tenancies Board of this Determination.

Signed: D MacFadden

Dairine MacFadden, Chairperson
For and on behalf of the Tribunal.