



**Kiangi v Kiangi (Tribunal Case E204 of 2022)
[2023] KEBPRT 1242 (KLR) (3 August 2023) (Ruling)**

Neutral citation: [2023] KEBPRT 1242 (KLR)

**REPUBLIC OF KENYA
IN THE BUSINESS PREMISES RENT TRIBUNAL
TRIBUNAL CASE E204 OF 2022
CN MUGAMBI, CHAIR
AUGUST 3, 2023**

BETWEEN

AUGUSTINE KIANGI TENANT

AND

CONSOLATA M. DANSON LANDLORD

RULING

1. The application by the landlord dated 23.5.2023 seeks orders that the tenant be compelled to pay all outstanding rent arrears, give vacant possession of the suit premises and that the landlord be granted leave to break into the premises and remove all the tenant's tools of trade with the assistance of the OCS Diani police station.
2. This matter proceeded for full hearing on 27.1.2023 and the Tribunal delivered its final decision in this matter on 10.3.2023.
3. In its decision, the Tribunal ordered the landlord be restrained from illegally terminating the tenancy between the parties, that the landlady shall grant to the tenant quiet enjoyment and possession of the five classrooms rented out to the tenant, that the tenant shall pay all the outstanding rent arrears within the next thirty (30) days failing which the landlady will be at liberty to levy distress for rent, that the landlady is at liberty to issue a fresh notice to terminate tenancy forthwith if she so wishes, and that each party would bear their own costs.
4. The prayers sought by the landlady/Applicant in the instant application have already been dealt with. This matter has effectively been fully determined and consequently this Tribunal is functus officio.
5. I find no merits in the application and the same is hereby dismissed with no orders as to costs.

RULING DATED, SIGNED AND DELIVERED VIRTUALLY THIS 3RD DAY OF AUGUST 2023.

HON. CYPRIAN MUGAMBI



CHAIRPERSON

3. 08.2023

In the absence of the parties

