

## **Private Residential Tenancies Board**

### **Determination Order**

#### **Ref: DR 1227 / 2010**

In the matter of Liam Sugrue ( Applicant Landlord ) and Michael McNamara ( Respondent Tenant ) the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, (the Act), determines that:

1. The Notice of Termination served on the 22<sup>nd</sup> of June 2011, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Ballycarty, Ballymachthomas, Ballymacelligott, Tralee, County Kerry, is valid.
2. The Respondent Tenant and all persons residing in the above dwelling, shall vacate the dwelling within 40 days of the date of issue of this order.
3. The Respondent Tenant shall pay the sum of €6,664.00 to the Applicant Landlord within 40 days of the date of the issue of this order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from the 1<sup>st</sup> of October 2010 at the rate of €833.00 per month, unless lawfully varied, and any other charge as set out in the terms of the tenancy agreement for each month or part thereof, until such time as he vacates the above dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €800.00 to the Respondent Tenant, on gaining vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Private Residential Tenancies Board on 6 April 2011.

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Orla Coyne  
Chairperson  
Duly authorised to sign on behalf of the Board

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Anne Marie Caulfield  
Director  
Duly authorised to sign on behalf of the Board