

## **Private Residential Tenancies Board**

### **Determination Order**

#### **Ref: DR 1921 / 2010**

In the matter of Stephen Stone ( Applicant Landlord ) and Christopher Stokes ( 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 5 November 2011, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 1 Oak Avenue, Carraig An Aird, Waterford, is invalid.
2. The Notice of Termination served on 17 February 2011, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the above dwelling, is valid.
3. The Respondent Tenant and all persons residing in the above dwelling shall vacate the dwelling within 7 days of the date of issue of this order.
4. The Respondent Tenant shall pay the total sum of €5,000.00 to the Applicant Landlord, within 28 days of the date of issue of this Order, being rent arrears of €3,500.00, together with the sum of €1,500.00 damages in respect of the tenancy of the above dwelling.
5. The Respondent Tenant shall also pay any further rent outstanding from 25 February 2011, at the rate of €23.01 per day, unless lawfully varied, and any other charge as set out in the terms of the tenancy agreement for each day or part thereof, until such time as he vacates the dwelling.
6. The Applicant Landlord shall refund the entire of the security deposit of €650.00 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 20 April 2011.

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

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Kathryn Ward  
Assistant Director  
Duly authorised to sign on behalf of the Board