

Private Residential Tenancies Board

Determination Order

Ref: DR 1682 / 2010

In the matter of Cathal Kavanagh (Applicant Landlord) and Patrick Mongan (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 9th of December 2010 by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 3 The View, Hunters Run, Clonee, Dublin 15, is valid.
2. 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.
3. The Respondent Tenant shall pay the sum of €5,507.35 to the Applicant Landlord within 21 days of the date of the issue of this order, being rent arrears of €4507.38 plus damages of €1,000.00 for the Respondent Tenant's breach of his obligations under the Act, in respect of the tenancy of the above dwelling,
4. The Respondent Tenant shall also pay any further rent outstanding from the 1st of February 2011, at the rate of €1,200.00 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 €1,200.00 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 30 March 2011.

Orla Coyne
Chairperson

Duly authorised to sign on behalf of the Board

Anne Marie Caulfield
Director

Duly authorised to sign on behalf of the Board