

## **Private Residential Tenancies Board**

### **Determination Order**

#### **Ref: DR 1917 / 2010**

In the matter of Marlborough 2 Partnership ( Applicant Landlord ) and Pearse Smyth and Dylan Masterson ( Respondent Tenants ) 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 24<sup>th</sup> of February 2010, by the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the dwelling at 3 Liberty Court, Lower Clanbrassil Street, Dublin 8, is valid.
2. The Respondent Tenants 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 Tenants shall pay the sum of €3,236.68 to the Applicant Landlord within 14 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 Tenants shall also pay any further rent outstanding from the 1<sup>st</sup> of February 2011 at the rate of €1,000.00 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 they vacates the above dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €1,000.00 to the Respondent Tenants, 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.

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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