

Private Residential Tenancies Board

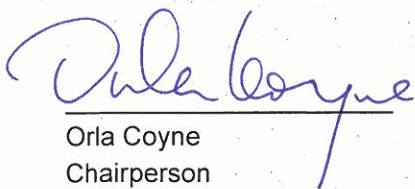
Determination Order

Ref: DR0912-02372

In the matter of Cora Dwyer [Applicant Landlord] and Robert Brennan [Respondent Tenant] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

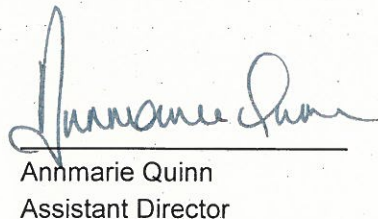
1. The Notices of Termination served by the Applicant Landlord on the Respondent Tenant on the 1st May 2012 and the 27th July 2012, in respect of the tenancy of the dwelling at 533 Courtown Road, Kilcock, Co. Kildare, are invalid.
2. The Notice of Termination served by the Applicant Landlord on the Respondent Tenant on the 3rd September 2012, in respect of the above tenancy, is valid.
3. The Respondent Tenant shall vacate and give up possession of the above dwelling within 7 days of the date of issue of this Order.
4. The Respondent Tenant shall pay the total sum of €4,806.50 to the Applicant Landlord within 42 days of the date of issue of this Order, being rent arrears of €4,056.50 together with damages of €750 for breach of tenant obligations, in respect of the above tenancy.
5. The Respondent Tenant shall also pay any further rent outstanding from 15th November 2012 at the rate of €850 per month or proportional part thereof at a rate of €27.95 per day, unless lawfully varied, until such time as he vacates the above dwelling.
6. The Applicant Landlord shall return the deposit of €850.00 to the Respondent Tenant upon gaining vacant possession of the above dwelling unless lawfully withheld in accordance with the provisions of the 2004 Act.
7. The Applicant Landlord's application regarding alleged anti-social behaviour and breach of fixed term lease, in respect of the above tenancy, are not upheld.

This Order was made by the Private Residential Tenancies Board on 12 March 2013.



Orla Coyne
Chairperson

Duly authorised to sign on behalf of the Board



Annmarie Quinn
Assistant Director

Duly authorised to sign on behalf of the Board

