

## Residential Tenancies Board

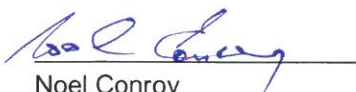
### Determination Order

**Ref: DR0516-26746**

In the matter of Emer Bolger [Applicant Landlord] and Sinead Holton [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Applicant on 28th day April 2016 on the Respondent Tenant in respect of the tenancy of the dwelling at 29 Gleann Bhearu, Cois Bhearu, Monasterevin Road, Athy, Co Kildare is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of issue of the Order.
3. The Respondent Tenant shall pay the total sum of €2156.02 to the Applicant Landlord, within 90 days of the date of issue of the 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 22 June 2016 to the Applicant at the rate of €950 per month or proportionate part thereof at the rate of €31.23 per day unless lawfully varied, and any other charges 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 Landlord shall refund the entire of the security deposit of €950.00 to the Tenant, upon the Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the 2004 Act.
6. The Applicant Landlord's application regarding the Respondent Tenant's breach of her tenant obligations under Section 16 (h) of the 2004 Act by engaging anti-social behaviour in respect of the tenancy of the dwelling at the above address is not upheld.
7. The Applicant Landlord's application regarding the Respondent Tenant's breach of her tenant's obligations under Section 16(c) of the 2004 Act for failure to allow the landlord access to inspect the dwelling and under Section 16 (e) of the 2004 Act for failure to allow the landlord to effect repairs in respect of the tenancy of the dwelling at the above address is upheld.
8. The Respondent Tenant shall comply with her Tenant Obligations under Section 16 (c) and Section 16(e) of the 2004 Act.

This Order was made by the Residential Tenancies Board on 05 August 2016.



Noel Conroy  
Board Member

Duly authorised to sign on behalf of the Board



Claire Diggin  
Higher Executive Officer

Duly authorised to sign on behalf of the Board