

Residential Tenancies Board

Determination Order

Ref: DR1016-29397

In the matter of Timmy Ahern [Applicant Landlord] and Brigitte Calder [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 on 28 July 2016 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Moyvane South, Moyvane, Co.Kerry 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 this Order.
3. The Respondent Tenant shall pay the sum of €5,807 to the Applicant Landlord, within 28 days of the date of issue of this Order, being rent arrears of €4,407, damages of €1,200 for failure to pay rent and €200 in damages for breach of obligations in failing to pay the electricity bill in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 22 November 2016, at the rate of €700 per month or proportionate part thereof at the rate of €23.01 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 she vacates the above dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €700 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 06 January 2017.



Tim Ryan
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