

## Residential Tenancies Board

### Determination Order

**Ref: DR0118-40011**

In the matter of Timothy Lawton, Theresa Lawton [Applicant Landlords] and Brian McDonagh, Sandra McDonagh [Respondent Tenants] 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 Landlords on 10 February 2017 on the Respondent Tenants in respect of the tenancy of the dwelling at 62 Rathowen, Fermoy, Co. Cork is valid;
2. The Respondent Tenants and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 42 days of the date of issue of this Order;
3. The Respondent Tenants shall also pay any further rent outstanding from 15 February 2018, being the date of the Adjudication hearing, at the rate of €730.00 per month or proportional part thereof at the rate of €24.00 per day and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenants vacate the above dwelling;
4. The Applicant Landlords shall refund the entire of the security deposit of €750.00 to the Respondent Tenants, upon the Respondent Tenants vacating and giving up 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 Residential Tenancies Board on 05 April 2018.



Paul White  
Board Member  
Duly authorised to sign on behalf of the Board



Carolyn O'Brien  
Higher Executive Officer  
Duly authorised to sign on behalf of the Board