

## Residential Tenancies Board

### Determination Order

**Ref: DR0118-40420**

In the matter of Gary Smith [Applicant Tenant] and Seamus Brady [Respondent Landlord] 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 Respondent Landlord on 20 January 2018 on the Applicant Tenant in respect of the tenancy of the dwelling at Flat 5, 52 Cabra Park, Dublin 7, D07 P788 is valid.
2. The Applicant 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 Applicant Tenant shall also pay any further rent outstanding from 20 January 2018 to the Respondent Landlord at the rate of €660.00 per month or proportionate part thereof at the rate of €21.70 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.
4. The Respondent Landlord shall refund the entire of the security deposit of €475.00 to the Applicant Tenant, upon the Applicant Tenant 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 11 May 2018.



Justin O'Brien  
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