

Residential Tenancies Board

Determination Order

Ref: DR0118-40555

In the matter of Joe McElroy [Applicant Landlord] and Neil McCarthy, Caroline McCarthy [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 Landlord on 22 December 2017 on the Respondent Tenants in respect of the tenancy of the dwelling at 29 Bracken Park Drive, Castleknock, Dublin 15 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 21 days of the date of issue of the Order.
3. The Respondent Tenants shall pay the total sum of €7,800.00 to the Applicant, within 42 days of the date of issue of the Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenants shall also pay any further rent outstanding from 27 February 2018, being the date of the Adjudication hearing, at the rate of €2,600.00 per month or proportional part thereof at the rate of €85.48 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.
5. The Applicant Landlord shall refund the entire of the security deposit of €2,600.00 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 29 May 2018.


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