

Residential Tenancies Board

Determination Order

Ref: DR0218-41723

In the matter of Gary Gallagher [Applicant Landlord] and Serge Phayer [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 Landlord on 15 February 2018 on the Respondent Tenant in respect of the tenancy of the dwelling at 62 Island Key, East Wall, Dublin 3, is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up vacant possession of the above dwelling within 14 days of the date of issue of this Determination Order, by the Board.
3. The Respondent Tenant shall pay the total sum of €4,113.70 to the Applicant Landlord, within 70 days of the date of issue of this Determination Order by the Board, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 05 April 2018, being the date of the Adjudication hearing, at the rate of €1,300.00 per month or proportional part thereof at the rate of €42.74 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 the Respondent Tenant vacates and gives up vacant possession of the above dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €1,300.00 to the Respondent Tenant, upon the Respondent 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 18 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