

Residential Tenancies Board

Determination Order

Ref: DR0917-37512

In the matter of Anne Crilly [Applicant Landlord] and Damian Niziol, Paulina Jaskiewicz [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 on 06 April 2017 and the Notice of Termination served on 23 August 2017 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 47 Strand Palace, Upper Strand, Youghal, Co. Cork are valid.
2. The Respondent Tenants, and any other persons residing in the above dwelling, shall give up possession and vacate the dwelling, in which they are in unlawful occupation and over-holding, within 7 days of the date of issue of this Order.
3. The Respondent Tenants shall pay the total sum of €5,950.00 to the Applicant Landlord within 70 days of the date of issue of this Order, being rent arrears of €5,450.00 in respect of the tenancy of the above dwelling up to 25 January 2018 plus damages of €500.00.
4. The Respondent Tenants shall also pay rent from 26 January 2018 onwards, being the date after the hearing, to the Applicant Landlord, at the rate of €650.00 per month, or proportional part thereof at the rate of €21.37 per day, unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, for each month or day or part thereof until such time as they vacate the dwelling.
5. The Applicant Landlord shall refund the entire of any security deposit to the Respondent Tenants, on gaining 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 16 March 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