

## Residential Tenancies Board

### Determination Order

**Ref: DR1017-37657**

In the matter of Shane McCarthy and David Swinburne (Receivers over the certain assets of Michael Quirke) [Applicant Landlords] and Cynthia McDonnell [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 on 15 June 2017 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling Apartment 4 Coach House, 29 Coach Street, Cork City, is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall give up possession and vacate the dwelling in which they are in unlawful occupation and over-holding and return the key of the Dwelling to the Respondent within 7 days of the issue of this Determination Order in this case.
3. The Respondent Tenant shall pay the total sum of €20,00.00 to the Respondent Landlord within 70 days of the date of the issue of this Determination Order in this case being rent arrears due up to 01 June 2017.
4. From 21 December 2017 onwards the Respondent Tenant shall also pay the equivalent of the monthly rent at the rate of €800.00 per month or €26.30 per day unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, until such time as she vacates the dwelling.
5. The Applicant Landlord shall refund the entire of any security deposit to the Respondent Tenant 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 08 March 2018.



Paul White  
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