

Residential Tenancies Board

Determination Order

Ref: DR1017-37993

In the matter of Mary O'Riordan [Applicant Landlord] and Graham McCarthy [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 22 August 2017 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 11 Spa Walk, Mallow, Co. Cork is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the sum of €1,798.57 to the Applicant Landlord, within 28 days of the date of issue of this Order, being rent arrears due and owing as of 08 November 2017 being the date of the hearing, in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 08 November 2017, being the date of the hearing, at the rate of €100.00 per calendar week or proportionate part thereof at the rate of €14.28 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.
5. The Applicant Landlord shall refund the entire of the security deposit of €400.00 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up 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 19 December 2017.



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