

## Residential Tenancies Board

### Determination Order

**Ref: DR1117-39098**

In the matter of Josephine Moore [Applicant Landlord] and Chan Yong Chun [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notices of Termination dated 28 June 2017 and 15 September 2017 served by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 5 Sliabh Mor, Carney, Sligo are invalid.
2. The Notice of Termination served by the Applicant Landlord on 23 November 2017 on the Respondent Tenant in respect of the tenancy of the above dwelling is valid.
3. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within twenty-eight days of the date of issue of this Order.
4. The Respondent Tenant shall pay the total sum of €715.00 to the Applicant Landlord, within twenty-one days of the date of issue of the Order, being rent arrears of €650.00 and damages of €65.00 for the consequences of the Respondent Tenant's breach of Section 16(a)(i) of the 2004 Act, in respect of the tenancy of the above dwelling.
5. The Respondent Tenant shall also pay any further rent outstanding from 15 December 2017, being the date of the Adjudication hearing, 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 as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenant vacates the above dwelling.
6. The Applicant Landlord shall refund the entire of the security deposit of €650.00 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 30 January 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