

Residential Tenancies Board

Determination Order

Ref: DR1117-39139

In the matter of Ellen Hurley [Applicant Landlord] and Andrew Malcom [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 19 September 2017 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 16 Roxboro Close, Midleton, Co. Cork is valid.
2. The Respondent Tenant, and any other persons residing in the above dwelling, shall give up possession and vacate the dwelling, in which he is in unlawful occupation and over-holding, and return the keys of the Dwelling to the Applicant Landlord within 7 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €3,462.00 to the Applicant Landlord within 42 days of the date of issue of this Order, being rent arrears up to and including 02 February 2018 (date of the hearing)
4. The Respondent Tenant shall also pay rent from 03 February 2018 onwards, being the date after the hearing, to the Applicant Landlord, at the rate of €500.00 per month, or proportional part thereof at the rate of €16.44 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 he 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 27 April 2018.



Justin O'Brien
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