

## Residential Tenancies Board

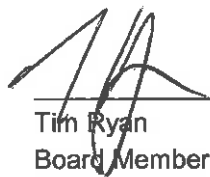
### Determination Order

**Ref: DR1117-39191**

In the matter of Vincent Smith [Applicant Tenant] and June O' Connell [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:


1. The Notice of Termination dated 09 November 2017 served by the Respondent Landlord on the Applicant Tenant in respect of the tenancy of the dwelling at 17 Kenilworth Road, Rathgar, Dublin 6, is invalid.
2. The Notice of Termination dated 21 December 2017 served by the Respondent Landlord on the Applicant Tenant in respect of the tenancy of the above dwelling is valid.
3. The Applicant Tenant and all persons residing in the above dwelling shall vacate and give up vacant possession of the above dwelling on or before 11 June 2018 or within twenty-eight days of the date of issue of this Order, compliance only required with whichever is later.
4. The Applicant Tenant shall also pay any further rent outstanding from 29 January 2018, being the date of the Adjudication hearing, at the rate of €2,500.00 per month or proportional part thereof at the rate of €82.19 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 Applicant Tenant and all his licensees vacate the above dwelling.
5. The Respondent Landlord shall refund the entire of the security deposit of €2,295.00 to the Applicant Tenant, upon the Applicant 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 05 April 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