

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1217-39301**

In the matter of Denise Cullinane [Applicant Tenant] and Claire Leonard [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Respondent Landlord on 20 November 2017 on the Applicant Tenant in respect of the tenancy of the dwelling at 23 The Waterfront Apartments, Lynch's Quay, Cobh, Co. Cork, is valid.
2. The Applicant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling in accordance with the Notice of Termination or within 28 days of the date of issue of this Order, whichever is the latter.
3. The Applicant Tenant shall also pay any further rent outstanding from 01 February 2018 to the Respondent at the rate of €400.00 per month or proportionate part thereof at the rate of €13.15 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 she vacates the above dwelling.
4. The Landlord shall refund the entire of the security deposit of €400.00 to the Applicant Tenant, upon the Applicant Tenant vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
5. The Applicant Tenant's application in relation to penalisation is not upheld.

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