

Residential Tenancies Board

Determination Order

Ref: DR1217-39505

In the matter of Yvonne Motherway [Applicant Landlord] and Jacqui Kelly [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 23 October 2017 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 109 Lymewood Mews, Block B, Northwood, Santry, Dublin 9, 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 they are in unlawful occupation and overholding, within 7 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €878.00 to the Applicant Landlord within 70 days of the date of issue of this Order, being rent arrears in respect of the tenancy of the above dwelling up to 09 January 2018.
4. The Respondent Tenant shall also pay rent from 09 January 2018 onwards, being the date of the hearing, to the Applicant Landlord, at the rate of €1,400.00 per month, or proportional part thereof at the rate of €46.03 per day, unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, for each month or part thereof until such time as she vacates the dwelling.
5. The Applicant Landlord shall refund the entire of the 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 13 February 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