

Residential Tenancies Board

Determination Order

Ref: DR1217-39725

In the matter of James Murphy (receiver over the certain assets of Aidan O'Brien, Dermot O'Brien, Margaret Cross, Theresa Byrne) [Applicant Landlord] and Apeke Cole [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 31 March 2017 by the Applicant Receiver on the Respondent Tenant in respect of the tenancy of the dwelling at 87 Kilcronan Avenue, Clondalkin, Dublin 22, is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €8,892.52 to the Applicant Receiver, within 28 days of the date of issue of this Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 23 January 2018, being the date of the Adjudication hearing, at the rate of €1,376.00 per month or proportional part thereof at the rate of €45.24 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.
5. The Landlords shall refund the entire of the security deposit, if any, to the Respondent Tenant, upon the Respondent Tenant vacating and giving up 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 08 March 2018.



Paul White
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