

Residential Tenancies Board

Determination Order

Ref: DR1117-39137

In the matter of Eugene Helly [Applicant Landlord] and Collins Joseph [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 by the Applicant Landlord on 24 October 2017 on the Respondent Tenant in respect of the tenancy of the dwelling at 65 Rathbraughan Park, Sligo Town, Co. Sligo 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 56 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €1,000.00 to the Applicant Landlord, within 56 days of the date of issue of this Order, being the sum of €363.00 in rent arrears, the sum of €150.00 towards unpaid utility costs with respect to the disposal of rubbish in 2017, the sum of €287.00 in damages for failing to vacate the dwelling on foot of a valid Notice of Termination, the sum of €100.00 in damages for the Respondent Tenant's anti-social behaviour in breach of s. 16(h) of the Act in respect of the tenancy of the above dwelling and the sum of €100.00 in damages for the Respondent Tenant's failure to pay rent as it fell due in accordance with s 16(a) in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 19 February 2018 to the Applicant landlord at the rate of €127.00 per week or proportionate part thereof at the rate of €18.14 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 he vacates the above dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €500.00 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 06 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