

Residential Tenancies Board

Determination Order

Ref: DR0119-51194

In the matter of Maura O'Brien [Applicant Landlord] and Tony Kavanagh, Aine Meaney [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notices of Termination served on the 26th April 2018 and the 10th September 2018, by the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the dwelling at 2 Pairc na Greine, Dromahane, Mallow, Co. Cork, are both valid, and the tenancy of the dwelling will thus terminate on the 19th May 2019 or within 14 days of the date of issue of this Order, whichever is the later.
2. The Respondent Tenants, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling on or before the 19th May 2019 or within 14 days of the date of issue of this Order, whichever is the later. On vacating, the Respondent Tenants shall return the keys of the dwelling to the Applicant Landlord
3. The Respondent Tenants shall pay the total sum of €3,400.00 to the Applicant Landlord on or before the 30th March 2019, or within 14 days of the date of issue of this Order, whichever is the later. This sum represents rent arrears up to the 19th February 2019 (date of the hearing).
4. The Respondent Tenants shall also pay any further rent outstanding from the 20th February 2019 (date after the hearing), to the Applicant Landlord, at the rate of €700.00 per month or proportional part thereof at the rate of €23.01 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as they vacate the above dwelling.
5. Within 7 days of the date of issue of this Order, the Respondent Tenants shall allow the Applicant Landlord's daughter, Deirdre Murray, carry out an inspection of the exterior and interior of the dwelling, unless this inspection has already taken place since the 19th February 2019.
6. On gaining vacant possession of the above dwelling, the Applicant Landlord shall promptly refund the Respondent Tenants the entire of any security deposit paid to her by them, but less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 02 May 2019.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director