

Residential Tenancies Board

Determination Order

Ref: DR0119-51369, DR1218-50725

In the matter of Paul Lyons [Applicant/Respondent Tenant] and Sinead Gallen [Respondent/Applicant Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 14th December 2018 served by the Respondent/Applicant Landlord on the Applicant/Respondent Tenant in respect of the tenancy of the dwelling at 73 Newtown Park, Annacotty, Co. Limerick, V94PX84 is valid.
2. The Applicant/Respondent Tenant shall vacate and give up possession of the above dwelling within 7 days of the date of issue of this Order.
3. The Applicant/Respondent Tenant shall also pay any further rent outstanding from 29th January 2019, being the date of the Adjudication hearing, at the rate of €400.00 per month or proportional 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 the Applicant/Respondent Tenant vacates the above dwelling.
4. The Applicant/Respondent Tenant shall remit all tax collected and or retained, from the rent, to date to the Revenue Commissioners forthwith and shall promptly provide the Respondent/Applicant Landlord with a full receipt of that remittance, in respect of the tenancy of the above dwelling.
5. The Applicant/Respondent Tenant, should he continue to collect and or retain tax, from the rent, shall promptly remit all tax to the Revenue Commissioners and shall promptly provide the Respondent/Applicant Landlord with a full receipt of that remittance, in respect of the tenancy of the above dwelling.
6. The Respondent/Applicant Landlord shall refund the entire of the security deposit of €400.00 to the Applicant/Respondent Tenant, upon the Applicant/Respondent Tenant vacating and giving up 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 04 April 2019.



Gary Byrne

Higher Executive Officer

Duly authorised to sign on behalf of the Director