

Residential Tenancies Board

Determination Order

Ref: DR0121-67143, DR0321-68426

In the matter of Samuel Baneham [Applicant/Respondent Tenant] and Maeve Magner [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 served on 14 December 2020 by the Respondent/Applicant Landlord on the Applicant/Respondent Tenants in respect of the tenancy of the dwelling at Apartment 30, Block B, Bellevue, Islandbridge, Dublin 8, D08XT52 is valid. The tenancy of the dwelling terminated on 12 January 2021.
2. The Applicant/Respondent Tenants, and any other person/s currently residing in the above dwelling, shall vacate and give up possession of the dwelling on or before 1 July 2021 or within 14 days of the date of issue of this Determination Order, whichever is the later date. Upon vacating, the Applicant/Respondent Tenants shall return the keys of the dwelling to the Respondent/Applicant Landlord or her representative.
3. The Applicant/Respondent Tenants shall pay the total sum of €5,925.00 to the Respondent/Applicant Landlord within 14 days of the date of issue of this Determination Order. This sum represents rent arrears in respect of the tenancy of the above dwelling up to 11 April 2021.
4. The Applicant/Respondent Tenants shall also pay any further rent outstanding from 12 April 2021, to the Respondent/Applicant Landlord, at the rate of €1,975.00 per month or €64.93 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 the dwelling is vacated by them and any other current occupant/s.
5. On gaining vacant possession of the dwelling, the Respondent/Applicant Landlord shall refund the entire of the €1975 security deposit to the Applicant/Respondent Tenants, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 07 July 2021.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director

