

Residential Tenancies Board

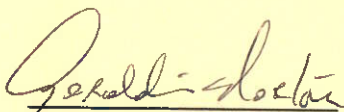
Determination Order

Ref: DR0124-92689, DR1023-89844

In the matter of Johanne Flaherty. [Applicant Tenant] and Noreen McHale [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Rent Review dated 26 October 2022 and served by the Respondent Landlord on the Applicant Tenant, in respect of the tenancy of the dwelling at 27 Clochran, Kilcloghans, Tuam, Co Galway, H54 V274, is invalid.
2. The Notice of Rent Review dated the 11 July 2023 and served by the Respondent Landlord on the Applicant Tenant, in respect of the tenancy of the dwelling at 27 Clochran, Kilcloghans, Tuam, Co Galway, H54 V274, is valid. The new rent is €1,600.00 per month, effective from 26 October 2023.
3. The Notice of Termination with a date of service of 14 December 2023, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the above dwelling is valid.
4. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 30 days of the date of issue of the Determination Order.
5. The Respondent Tenant shall pay the sum of €1,009.80 to the Applicant Landlord, within 28 days of the date of issue of the Determination Order, being rent arrears in respect of the tenancy of the above dwelling.
6. The Applicant Tenant shall continue to pay any further rent outstanding to the Respondent landlord from 24 May 2024, being the date of the Adjudication Hearing, at the rate of €1,600.00 per month, or proportionate part thereof at the rate of €52.60 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 above dwelling is vacated by the Respondent Tenant and any other persons residing therein.
7. The Applicant Landlord shall refund the security deposit of €1,000.00 to the Respondent Tenant, on gaining 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 14 August 2024.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director