

Residential Tenancies Board

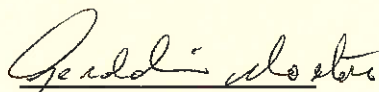
Determination Order

Ref: DR0222-75642, DR0522-77318

In the matter of Bree Daly, Maura Daly [Applicant/Respondent Landlords] and Mark Leo [Respondent/Applicant Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 11th January 2022 served by the Applicant/Respondent Landlords on the Respondent/Applicant Tenant in respect of the tenancy of the dwelling at Joes Corner House, Shanagarry Village, Midleton, Co. Cork, P25XR15, is valid.
2. The Respondent/Applicant Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the above dwelling within 60 days of the date of issue of this Determination Order.
3. The Respondent/Applicant Tenant shall pay the total sum of €19,000.00 to the Applicant/Respondent Landlords, within 7 days of the date of issue of this Determination Order, being €20,000.00 of rent arrears and utility charge arrears in breach of Section 16(a) of the Act, having set off €1,000.00 of damages for the consequences of the Applicant/Respondent Landlords breach of Section 12(1)(a) of the Act, in respect of the tenancy of the above dwelling.
4. The Respondent/Applicant Tenant shall also pay any further rent outstanding from 20th July 2022, being the date of the (virtual) hearing, to the Applicant/Respondent Landlords, at the rate of €870.00 per month or proportional part thereof at the rate of €28.60 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 above dwelling is vacated by the Respondent/Applicant Tenant and any other person/s residing therein.
5. The Applicant/Respondent Landlords shall refund the entire of the security deposit of €870.00 to the Respondent/Applicant Tenant, upon the Respondent/Applicant 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 23rd November 2022.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director