

Residential Tenancies Board

Determination Order

Ref: DR0320-61421

In the matter of Thomas Messmer [Applicant Landlord] and Michael Farrelly [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date of service of 26 March 2020 served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 1, 32 Bachelor's Walk, Dublin 1 is valid.
2. The Respondent Tenant and any other persons residing in the dwelling shall vacate and give up possession of the above dwelling within 14 days of the expiration of the emergency period as defined in section 3 of the Emergency Measures in the Public Interest (Covid-19) Act 2020 or as extended by order under section 4 of the Emergency Measures in the Public Interest (Covid-19) Act 2020.
3. The Respondent Tenant shall pay the sum of €7731.00 to the Applicant Landlord, within 35 days of the date of issue of this Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall pay any further rent from 6 July 2020, being the date of the Adjudication Hearing, at the rate of €2418.00 per month or proportionate part thereof at the rate of €79.50 per day, unless lawfully varied, and any other charges as 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 Tenant and any other persons residing therein.
5. The Applicant Landlord shall refund the security deposit of €3000.00 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 04 November 2020.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director