

## Residential Tenancies Board

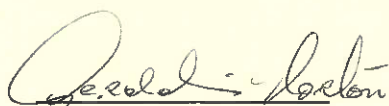
### Determination Order

Ref: DR0322-76041

In the matter of John F Kenny [Applicant Landlord] and Vishav Nath, Pauline Powers [Respondent Tenants] 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 the 9th of August 2021, served by the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the dwelling at Apartment 28, The Old Mill, Main Street, Castlerea, Co. Roscommon, F45XC80, is valid.
2. The Respondent Tenants and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Determination Order.
3. The Respondent Tenants shall pay the sum of €10,985.00 to the Applicant Landlord, within 180 days of the date of issue of this Determination Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenants shall also pay any further rent outstanding from the 1st of November 2022, being the date of the Adjudication Hearing, at the rate of €350.00 per month or proportionate part thereof at the rate of €11.51 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 Tenants and any other persons residing therein.
5. The Applicant Landlord shall refund the security deposit of €350.00 to the Respondent Tenants, upon the Respondent Tenants vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
6. The Applicant Landlord shall ensure that remedial works are carried out to address the mould issue at the above dwelling within 30 days of the of the date of issue of this Determination Order.
7. The Applicant Landlord shall, within 30 days of the of the date of issue of this Determination Order, ensure that the heaters and showers at the dwelling are functional.

This Order was made by the Residential Tenancies Board on 11 January 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director