

## Residential Tenancies Board


### Determination Order

Ref: DR0322-76254

In the matter of David Kelly [Applicant Landlord] and Alessandro Bocchini [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Applicant Landlord on the 24th of May 2022 in respect of the tenancy of the dwelling at 51 Diswellstown Way, Hamilton Park, Dublin 15, D15CD5T, is valid and the Applicant Landlord's claim for vacant possession is upheld.
2. The Respondent Tenant and all persons occupying the Dwelling shall vacate and give up possession of the Dwelling within 28 days of the Date of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €5,450.00 to the Applicant Landlord within 28 days of the date of this Determination Order. This sum represents rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall continue to pay rent as it falls due, from the 5th of September 2022 being the date of the adjudication hearing at the agreed rate of €2,600.00 per month or part thereof at the daily rate of €85.48 per day until such time as the Dwelling is vacated by the Respondent Tenant and all persons residing therein.
5. The Respondent Tenant shall pay to the Applicant Landlord the sum of €99.27 within 28 days of this Determination Order being damages for breach of Tenant Obligations.
6. The Respondent Tenant shall facilitate an inspection of the Dwelling by or on behalf of the Applicant Landlord within 7 days of the date of this Determination Order on provision by the Applicant Landlord to the Respondent Tenant of 24 hours' notice, said notice to be communicated by way of WhatsApp communication.
7. The Applicant Landlord shall refund the Respondent Tenant's security deposit on gaining vacant possession of the Dwelling less any amount lawfully retained pursuant to the provisions of the Residential Tenancies Act 2004 as amended.

This Order was made by the Residential Tenancies Board on 30 November 2022.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director