

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0420-61583**

In the matter of Andrew Garvey [Applicant Landlord] and Peter Foley [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 20th February 2020, served by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 68 Willow Park Crescent, Glasnevin, Dublin 11, D11PN1N, is valid.
2. The Respondent Tenant, and any other person/s 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 Act the Emergency Measures in the Public Interest (Covid -19) Act 2020.
3. The Respondent Tenant shall pay the sum of €6,300 to the Applicant Landlord, within 42 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 also pay any further rent outstanding from 17th July 2020, being the date of the Adjudication Hearing, including rent of €200 which is due to be paid on 17th July 2020, at the rate of €200 per week or proportionate part thereof at the rate of €28.57 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each week or part thereof, until such time as the above dwelling is vacated by him and any other person/s residing therein.
5. The Applicant Landlord shall refund the security deposit of €800 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 23 September 2020.



**Ciara Cronin**

**Higher Executive Officer**

**Duly authorised to sign on behalf of the Director**