

Residential Tenancies Board

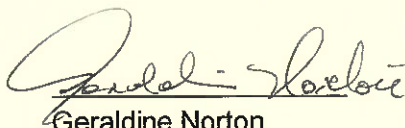
Determination Order

Ref: DR0422-76410

In the matter of John Clarke [Applicant Landlord] and Patrick McCarthy [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 08-02-2022, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 210 Laurel Park, Newcastle, Co. Galway, is valid.
2. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the sum of €3,500.00 to the Applicant Landlord within 90 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 Tenant shall also pay any further rent outstanding from the 4th of May 2022, being the date of the Adjudication Hearing at a rate of €900.00 per month or proportionate part thereof at the rate of €29.59 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each month/week or part thereof, until such time as the above dwelling is vacated by the Respondent Tenant and any other persons residing therein.
5. The Respondent Tenant shall pay the total sum of €2,750.00 to the Applicant Landlord, within 90 days of the date of issue of this Determination Order, being damages for damage in excess of normal wear and tear caused to the dwelling and for breach of Tenant obligations pursuant to Section 16(f) of the Act, and for failure to allow the landlord's agent access to the property to carry out necessary repairs to the property and for breach of Tenant obligations pursuant to Section 16(e) of the Act, and having deducted the justifiably retained security deposit of €750.00 in respect of the tenancy of the above dwelling.

This Order was made by the Residential Tenancies Board on 13 July 2022.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director