

Residential Tenancies Board

Determination Order

Ref: DR0518-44515

In the matter of Declan Foley [Applicant Landlord] and Elaine Hanks [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 17th November 2017 on the Respondent Tenant in respect of the tenancy of the dwelling at 9 Somerville Avenue, Somerville Court, Dublin 12 is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 21 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €1,650.60 to the Applicant Landlord, within 56 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 16th January 2019, being the date of the Adjudication hearing, at the rate of €1,172.50 per month or proportional part thereof at the rate of €38.55 per day and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenant vacates the above dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €950.00 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up 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 28 March 2019.



Gary Byrne

Higher Executive Officer

Duly authorised to sign on behalf of the Director