

Residential Tenancies Board

Determination Order

Ref: DR0519-54099

In the matter of Patricia Stephens [Applicant Landlord] and Mark Leo [Respondent Tenant] and the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 22 February 2019 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 12 Shanagarry Holiday Village, Shanagarry, Co. Cork, is valid, and the tenancy terminated on 14 April 2019.
2. The Notice of Termination served on 17 April 2019 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the above dwelling is also valid.
3. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling, to the Applicant Landlord, within 7 days of the date of issue of this Order. The Respondent Tenant shall return the keys of the dwelling, to the Applicant Landlord, within 7 days of the date of issue of this Order.
4. The Respondent Tenant shall pay the total sum of €3,028.54 to the Applicant Landlord within 7 days of the date of issue of this Order. This sum represents rent arrears up to 31 May 2019 of €2,200.00 plus unpaid electricity charges of €328.54 plus damages of €500.00 in respect of breach of tenant obligations to pay rent on time.
5. The Respondent Tenant shall also pay any further rent outstanding from 1 June 2019 onwards, to the Applicant Landlord, at the rate of €1,100.00 per month or proportional part thereof at the rate of €36.16 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as he vacates the dwelling.
6. The Applicant Landlord shall refund the entire of any security deposit 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.
7. The Respondent Tenant's complaints in respect of breach of landlord obligations up to 14 April 2019 have been withdrawn.

This Order was made by the Residential Tenancies Board on 29 August 2019.


Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director