

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0618-45399, DR0618-45530**

In the matter of Brian Lehane, Rasa Jasiens Kiene [Applicant/Respondent Tenants] and Noreen Sexton, Paddy Sexton [Respondent/Applicant Landlords] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notices of Termination served by the Respondent/Applicant Landlords on 5th October 2017 on the Applicant/Respondent Tenants in respect of the tenancy of the dwelling at 7 the Orchard, Summer Hill, Mallow, Co. Cork are valid;
2. The Applicant/Respondent Tenants and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Order;
3. The Applicant/Respondent Tenants shall also pay any further rent outstanding from 30th August 2018, being the date of the Adjudication hearing, at the rate of €155 per week or proportional part thereof at the rate of €22.14 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 Applicant/Respondent Tenants vacate the above dwelling;
4. The Respondent/Applicant Landlords shall refund the entire of the security deposit of €660 to the Applicant/Respondent Tenants, upon the Applicant/Respondent Tenants vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act;
5. The Applicant/Respondent Tenants' claim in respect of breach of landlord obligations with respect to standards and maintenance of the above dwelling is not upheld.

This Order was made by the Residential Tenancies Board on 12 October 2018.

  
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Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director