

Residential Tenancies Board

Determination Order

Ref: DR0620-62674

In the matter of Tara O'Gorman [Applicant Tenant] and Marie Kelleher [Respondent Landlord] 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 31st August 2020, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 406, An Sean Mhuilean, Tralee, Co. Kerry, is valid.
2. The Applicant Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling on or before 19th April 2021 or within 56 days of the date of issue of this Determination Order, whichever is the later.
3. The notice of rent review with a date of service of 23rd January 2020 and served upon the Applicant Tenant in respect of the tenancy of the above dwelling, is invalid;
4. The Applicant Tenant shall also pay any further rent outstanding from 1st October 2020, being the date of the Adjudication Hearing, at the rate of €280 per month or proportionate part thereof at the rate of €9.21 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each month or part thereof, until such time as the above dwelling is vacated by the Applicant Tenant and any other persons residing therein;
5. The Applicant Tenant's application regarding breach of landlord obligations in respect of the tenancy of the above dwelling is not upheld.

This Order was made by the Residential Tenancies Board on 28 January 2021.



Emer Morrissey
Assistant Director

Duly authorised to sign on behalf of the Director