

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0718-46055**

In the matter of Paul O'Gorman, Rachel Wilmott [Applicant Tenants] and Arleen O'Doherty [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on the 18th June 2018 by the Respondent Landlord on the Applicant Tenants in respect of the tenancy of the above dwelling is valid.
3. The Applicant Tenants and all persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 35 days of the date of issue of this Determination Order.
4. The Applicant Tenants shall pay any further rent outstanding to the Respondent Landlord from the 28th August 2018, being the date of the Adjudication hearing, at the rate of €150.00 per week or proportionate part thereof at the rate of €21.43 per day, unless lawfully varied, 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 above dwelling is vacated by the Applicant Tenants and all persons residing therein.
4. The Notice of Termination served on the 17th May 2018 by the Respondent Landlord on the Applicant Tenants in respect of the tenancy of the dwelling at 13 Clieveragh Park, Listowel, County Kerry is invalid.
5. The Respondent Landlord shall refund the entire of the security deposit of €650.00 to the Applicant Tenants, upon the Applicant Tenants vacating and giving up 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 the day of 2018.

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



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director