

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0718-46154**

In the matter of Lynda Curley Leen [Applicant Landlord] and Brian Dineen [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 on 4 July 2018, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 34 Fortfield, Killerisk, Tralee, Co. Kerry, is valid.
2. The Respondent Tenant shall vacate and give up possession of the above dwelling, within 7 days of the date of issue of this Determination Order by the Board.
3. The Respondent Tenant shall pay the total sum of €605.00 to the Applicant Landlord, within 28 days of the date of issue of this Determination Order, being rent arrears and outstanding utility charges, in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 10 August 2018, being the date of the Adjudication hearing, at the rate of €70.00 per week or proportional part thereof at the rate of €10.00 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 Respondent Tenant vacates the above dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €250.00 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 18 September 2018.



Claire Diggin

Higher Executive Officer

Duly authorised to sign on behalf of the Director