

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0719-55922**

In the matter of Ken Fennell (In his capacity as Receiver over certain assets of Patrick J Doherty, Landlord) [Applicant] and Ewalian Olbrys [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 7th September 2017 served by the Applicant on the Respondent Tenant in respect of the tenancy of the dwelling at 20 The Forest, Ballymacool Woods, Letterkenny, County Donegal is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within fourteen days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €12,480.00 to the Applicant, within 7 days of the date of issue of this Order, being rent arrears of €12,480.00 in breach of Section 16(a)(i) of the Act, in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 3rd October 2019, being the date of the Adjudication hearing, at the rate of €520.00 per month or proportional part thereof at the rate of €17.10 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.

This Order was made by the Residential Tenancies Board on 22 November 2019.



Grace McCormack Macken

Higher Executive Officer

Duly authorised to sign on behalf of the Director