

Residential Tenancies Board

Determination Order

Ref: DR0818-47267

In the matter of Brian Kelly [Applicant Landlord] and John Lackey [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 the 1st May 2018, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 5 Rivercourt, Barrett Street, Ballina, Co. Mayo, is valid;
2. The Respondent Tenant, and all other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 7 days of the date of issue of this Order;
3. The Respondent Tenant shall pay the total sum of €994.65 to the Applicant Landlord, within 14 days of the date of issue of this Order, being rent arrears in respect of the tenancy of the above dwelling;
4. The Respondent Tenant shall also pay any further rent outstanding from 12th September 2018, being the date of the Adjudication hearing, to the Applicant Landlord, at the rate of €585 per month or proportional part thereof at the rate of €19.23 per day, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as he vacates the above dwelling;
5. The Applicant Landlord shall refund the entire of the security deposit of €585 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 17 October 2018.



Claire Duggin

Higher Executive Officer

Duly authorised to sign on behalf of the Director