

## Residential Tenancies Board

### Determination Order

**Ref: DR0820-64347**

In the matter of Ballymote Construction Limited [Applicant Landlord] and Mugenda Solomongo [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 by the Applicant Landlord on 22 August 2020 on the Respondent Tenant in respect of the tenancy of the dwelling at 37 Cnoc na Si, Rathscanlon, Tubbercurry, Co. Sligo is valid.
2. The Respondent Tenant and any other persons residing in the dwelling shall vacate and give up possession of the above dwelling. Pursuant to the Residential Tenancies Act 2020 the Respondent Tenant and any other persons residing in the dwelling shall not be required to vacate the dwelling during the emergency period as defined in section 2 of the Residential Tenancies Act 2020 or as extended by order under section 31A of the Health Act 1947. The Respondent Tenant and any other persons residing in the dwelling shall vacate the dwelling within 10 days of the expiration of the emergency period or on 1 March 2021, whichever the later.
3. The Respondent Tenant shall pay any further rent from 6 November 2020 being the date of the Adjudication Hearing, at the rate of €480.00 per month or proportionate part thereof at the rate of €15.78 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 Respondent Tenant and any other persons residing therein.
4. The Applicant Landlord shall refund the security deposit of €200.00 to the Respondent Tenant, on gaining 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 03 March 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director