

Residential Tenancies Board

Determination Order

Ref: DR0918-48068, DR0918-48544

In the matter of Dave Cummins [Applicant/Respondent Landlord] and Thomas Mark Grace [Respondent/Applicant 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/Respondent Landlord on 21 August 2018 on the Respondent/ Applicant Tenant in respect of the tenancy of the dwelling at 71 Rathborne Drive, Ashtown, Dublin 15 is valid.
2. The Respondent/Applicant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 7 days of the date of issue of this Order.
3. The Respondent/Applicant Tenant shall pay the total sum of €3703.72 to the Applicant/Respondent Landlord, within 35 days of the date of issue of this Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent/Applicant Tenant shall pay any further rent outstanding from 12 October 2018, being the date of the Adjudication hearing, at the rate of €1150.00 per month or proportional part thereof at the rate of €37.81 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/Applicant Tenant vacates the above dwelling.
5. The Applicant/Respondent Landlord shall refund the entire of the security deposit of €1050.00 to the Respondent/ Applicant Tenant, upon the 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 04 December 2018.


Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director