

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0918-48444**

In the matter of David J O'Mahony [Applicant Landlord] and Elaine Kennedy [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 19th April 2018 served by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 51 The Crescent, Carrickmines Manor, Carrickmines, Dublin 18, is valid.
2. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling within seven days of the date of issue of this Order.
3. The Respondent Tenant shall continue to pay rent from 12th October 2018, being the date of the Adjudication hearing, to the Applicant Landlord, at the rate of €1,248.00 per month or proportional part thereof at the rate of €41.03 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as she vacates the above dwelling.
4. The Applicant Landlord shall refund the entire of the security deposit of €1,000.00 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up 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.



Gary Byrne

Higher Executive Officer

Duly authorised to sign on behalf of the Director