Residential Tenancies Board

Determination Order

Ref: DR0919-56837

In the matter of John Woolfson [Applicant Landlord] and Robert Wright [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 5th of February 2019 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Gortroe, Castletown, Kilmallock, Co. Limerick, is valid.

2. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the above dwelling within 35 days of the date of issue of this Order.

3. The Respondent Tenant shall pay the sum of €1,000 to the Applicant Landlord, within 35 days of the date of issue of this Order. This sum represents rent arrears of €800 together with the sum of €200 awarded in damages as a result of the Tenant's failure to comply with his legal obligations to vacate the dwelling after the service of a valid Notice of Termination and to discharge rent as and when it fell due for payment.

4. The Respondent Tenant shall also pay any further rent outstanding from the 27th of September 2019, being the date of the hearing, to the Applicant Landlord, at the rate of €850 per month or proportional part thereof at the rate of €27.95 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 he vacates the above dwelling.

5. The Applicant Landlord shall refund the entire of the security deposit of €850 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 28 November 2019.

Grace McCormack Macken
Higher Executive Officer
Duly authorised to sign on behalf of the Director