

Residential Tenancies Board

Determination Order

Ref: DR0919-56893

In the matter of David O'Connor [Respondent] (In his capacity as reciever over certain assets of Leighton Aspell, Landlord) and Barry Craddock [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 on the 30th of July 2019 (with an incorrect date of service of the 31st of July 2019) in respect of the tenancy of the dwelling at 20 Gleann Bhearu, Cois Bhearu, Athy, Co. Kildare, R14FW64, is valid.
2. The Respondent Tenant, and any other person/s residing at the aforesaid dwelling, shall vacate and deliver up vacant possession of the dwelling, to the Applicant or his agents, within 14 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €3,832.20 to the Applicant within 14 days of the date of issue of this Order. This sum of €3,832.20 being rent arrears in respect of the tenancy of the aforesaid dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from the 18th November 2019, being the date of the adjudication hearing, to the Applicant, at the rate of €625 per month or proportional part thereof at the rate of €20.55 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 and delivers up vacant possession of the dwelling.
5. The Applicant shall return the security deposit of €625 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up vacant possession of the dwelling, less such sums properly retained in accordance with the provisions of the Residential Tenancies Act.

This Order was made by the Residential Tenancies Board on 16 January 2020.



Emer Morrissey

Assistant Director

Duly authorised to sign on behalf of the Director