

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0920-64539**

In the matter of Karen Brierton, Geoff Brierton [Applicant Landlords] and Michael Walsh [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 05 August 2020 by the Applicant Landlords on the Respondent Tenant in respect of the tenancy of the dwelling at 50 Hartwell Green, Kill, Co. Kildare, is valid.
- (2) The Respondent Tenant, and any other person/s currently residing in the above 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 14 days of the expiration of 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.
- (3) The Respondent Tenant shall pay the sum of €4,817.66 to the Applicant Landlords, within 28 days of the date of issue of this Determination Order, being rent arrears due and owing as of 06 November 2020, being the date of the hearing, in respect of the tenancy of the above dwelling.
- (4) The Respondent Tenant shall also pay any further rent outstanding from 06 November 2020, to the Applicant Landlords, at the rate of €1,456 per month or proportionate part thereof at the rate of €47.87 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 the dwelling is vacated by him and all other current occupants.
- (5) The Applicant Landlords shall refund the entire of the security deposit of €1,456 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 03 February 2021.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director