

Residential Tenancies Board

Determination Order

Ref: DR0921-72483 / 0921-72451

In the matter of Majella Kelly [Applicant/Respondent Landlord] and Osama Ma Elghawil [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 30th April 2021 on the Respondent/Applicant Tenant in respect of the tenancy of the dwelling at Apartment 42, Tir Na Gcapall, Old Monivea Road, Ballybrit, Co. Galway, H91X063 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 28 days of the date of issue of this Order;
3. The Respondent/Applicant Tenant shall also pay any further rent outstanding from 1st October 2021, being the date of the Adjudication hearing, at the rate of €450.00 per month or proportional part thereof at the rate of €14.79 per day 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 vacate the above dwelling;
4. The Applicant/Respondent Landlord shall refund the entire of the security deposit of €450.00 to the Respondent/Applicant Tenant, upon the Respondent/Applicant Tenant vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act;
5. The Respondent/Applicant Tenant's claim for breach of landlord obligations concerning standards and maintenance of the dwelling is not upheld.

This Order was made by the Residential Tenancies Board on 01 December 2021.



Ciara Cronin
Higher Executive Officer
Duly authorised to sign on behalf of the Director