

Residential Tenancies Board

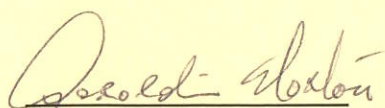
Determination Order

Ref: DR0923-89191

In the matter of Esther O'Farrell [Applicant Landlord] and Sean Lynch [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date of service of 16 September 2022, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 46 East Avenue, Parkgate, Frankfield, Cork, is valid.
2. The Respondent Tenant and any other 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 Determination Order.
3. The Respondent Tenant shall pay the sum of €1,400.00 to the Applicant Landlord, within 28 days of the date of issue of the Determination Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall continue to pay the rent from the date of the adjudication hearing (18 December 2023), at the rate of €1,490.00 per month or proportional part thereof at the rate of €48.99 per day, unless lawfully varied, 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 above dwelling is vacated.
5. The Respondent Tenant shall also pay the sum of €8,600.00 to the Applicant Landlord within 28 days of the date of issue of the Determination Order, being damages for a breach of Tenant obligations pursuant to Section 16(l) of the Act, and having deducted the justifiably retained security deposit of €1,400.00 in respect of the tenancy of the above dwelling.

This Order was made by the Residential Tenancies Board on 28 February 2024.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director