

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1018-48977**

In the matter of Shamsa Yassin [Applicant Tenant] and Patrick Kehoe [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 17 October 2018 on behalf of the Respondent Landlord on the Applicant Tenant in respect of the tenancy of the dwelling 351 South Circular Road, Dublin 8 is valid.
2. The Applicant Tenant and all persons residing in the above dwelling shall give up possession and vacate the dwelling in which they are in unlawful occupation and overholding on or before 1 April 2019, or within 28 days of the issue of this Order whichever is the later.
3. From 21 February 2019 (date of the hearing) onwards the Applicant Tenant shall also pay the equivalent of the monthly rent to the Respondent Landlord at the rate of €1,300.00 per month or €42.74 per day unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, until such time as the Applicant Tenant vacates the dwelling.
4. The Respondent Landlord shall refund the entire of the security deposit of €1,000.0 to the Applicant Tenant on gaining vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
5. The Applicant Tenant's complaints of breach of Landlord obligations up to 21 February 2019 are not upheld.

This Order was made by the Residential Tenancies Board on 18 April 2019.



**Emer Morrissey**

**Higher Executive Officer**

**Duly authorised to sign on behalf of the Director**