

Residential Tenancies Board

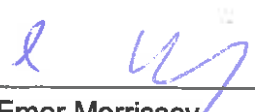
Determination Order

Ref: DR1018-49422

In the matter of Jonathan Evans [Applicant Landlord] and Alan Kiernan [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 12 September 2018 by the Applicant Landlord on the Respondent Tenant in respect of the Respondent Tenant's tenancy of the dwelling at 39 Brookwood Avenue, Artane, Dublin 5 is valid.
2. The Respondent Tenant shall vacate and give up possession of his tenancy of the above dwelling within 28 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the sum of €197.25 to the Applicant Landlord, within 28 days of the date of issue of this Order, being rent arrears due as of 09 November 2018, being the date of hearing, in respect of the Respondent Tenant's tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 09 November 2018, being the date of hearing, at the rate of €400 per month or proportionate part thereof at the rate of €13.15 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 he vacates the above dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €400 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 16 January 2019.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director