

Residential Tenancies Board

Determination Order

Ref: DR1018-49510

In the matter of Patrick McCarthy [Applicant Landlord] and Gerhardt Hoebler [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 the 7th September 2018 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 1, 23/24 Bridge Street, Skibbereen, Co. Cork, is valid. The tenancy of the dwelling was lawfully terminated on the 10th October 2018.
2. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling, in which he/they are in unlawful occupation and over-holding, within 7 days of the date of issue of this Order. On vacating, the Respondent Tenant shall return the keys of the dwelling to the Applicant Landlord.
3. The Respondent Tenant shall pay the total sum of €6,725.00 to the Applicant Landlord, within 70 days of the date of issue of this Order (Less any amounts that may have already been paid by the Respondent Tenant). This sum represents rent arrears up to the 20th December 2018, 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 the 21st December 2018, to the Applicant Landlord, at the rate of €75.00 per week or proportional part thereof at the rate of €10.71 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each week or part thereof, until such time as he vacates the dwelling.
5. The Applicant Landlord shall refund the entire of any security deposit to the Respondent Tenant, on gaining vacant 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 21 February 2019.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director