

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1019-58033**

In the matter of Claire Burke [Applicant Landlord] and Linda McCarthy [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 4 June 2019 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 3, Top Floor, 29/30 Barrack Street, Cork, is valid.
2. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling, to the Applicant Landlord, on or before 26 January 2020 or within 7 days of the date of issue of the this Order, whichever is the later. 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 €5,400.00 the Applicant Landlord within 7 days of the date of issue of this Order (less any amounts that have already been paid by her). This sum represents rent arrears up to 31 October 2019 in respect of the tenancy of the above dwelling.
4. From 1 November 2019 onwards the Respondent Tenant shall also pay rent to the Applicant Landlord, at the rate of €600.00 per month or €19.72 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as she vacates the dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €600.00 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 06 February 2020.

  
Emer Morrissey

Assistant Director

Duly authorised to sign on behalf of the Director