

Residential Tenancies Board

Determination Order

Ref: DR1019-58102

In the matter of Frank Mc Ardle [Applicant Landlord] and Jason Smithers [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 2019 by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 126 Main Street Lower, Ballybay, Co. Monaghan, is valid.
2. The Respondent Tenant and all persons residing in the above dwelling, shall vacate and give up possession of the above dwelling within 7 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the sum of €360.00 to the Applicant Landlord within 21 days of the date of issue of this Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 26 November 2019, being the date of the Adjudication Hearing, at the rate of €100.00 per week or proportional part thereof at the rate of €14.29 per day and any other charges as set out in the terms of the tenancy agreement for each week 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 €400.00 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 27 January 2020.



Emer Morrissey
Assistant Director

Duly authorised to sign on behalf of the Director