

Residential Tenancies Board

Determination Order

Ref: DR1020-65252

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

1. The Notice of Termination with a date of service of 24th August 2020, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Main Street, Ballyconnell, Co. Cavan, is valid;
2. The Respondent Tenant and any other persons residing in the dwelling shall vacate and give up possession of the above dwelling. Pursuant to the Residential Tenancies Act 2020 the Respondent Tenant and any other persons residing in the dwelling shall not be required to vacate the dwelling during the emergency period as defined in section 2 of the Residential Tenancies Act 2020 or as extended by order under section 31A of the Health Act 1947. The Respondent Tenant and any other persons residing in the dwelling shall vacate the dwelling within 10 days of the expiration of the emergency period.
3. The Respondent Tenant shall pay the sum of €1,377.88 to the Applicant Landlord, within 28 days of the date of issue of this Determination Order, being rent arrears and charges in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 10th November 2020, at the rate of €100 per week or proportionate part thereof at the rate of €14.29 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each week or part thereof, until such time as the above dwelling is vacated by the Respondent Tenant and any other persons residing therein.
5. The Applicant Landlord shall refund the security deposit of €400 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 03 March 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director