

Residential Tenancies Board

Determination Order

Ref: DR1020-65545, DR0920-64919

In the matter of Anne O'Toole, (Acting in capacity as Personal Representative Of Monica O'Dwyer, Landlord) [Applicant/Respondent] and Nicola Downey [Respondent/Applicant 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 3 September 2020 on behalf of the Applicant/Respondent on the Respondent/Applicant Tenant in respect of the tenancy of the Dwelling at 23 Lotabeg Terrace, Mayfield, Co. Cork, T23Y6Y3 is valid. The tenancy of the dwelling terminated on 3 October 2020.
2. The Respondent/Applicant Tenant and all persons residing in the above Dwelling shall vacate the Dwelling on or before 1 July 2021 or within 7 days of the issue of this Order whichever is the later date. Upon vacating the Respondent/Applicant Tenant shall return the keys of the Dwelling to the Applicant/Respondent or her representative.
3. The Respondent/Applicant Tenant shall pay to the Applicant/Respondent the total sum of €5,750.00 within 70 days of the issue of this Order, being the amount of rent arrears due and owing up to 14 January 2021.
4. From 15 January 2021 onwards the Respondent/Applicant Tenant shall also pay the equivalent of the monthly rent at the rate of €500.00 per month or €16.44 per day unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, until such time as she vacates the above Dwelling.
5. The Applicant/Respondent shall refund the entire of the security deposit to the Respondent/Applicant Tenant on gaining vacant possession of the above Dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
6. The Respondent/Applicant Tenant's complaints of breach of Landlord obligations up to 10 February 2021 are not upheld.

This Order was made by the Residential Tenancies Board on 23 June 2021.



Ciara Cronin
Higher Executive Officer
Duly authorised to sign on behalf of the Director

