

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1118-49882**

In the matter of Tuath Housing [Applicant Landlord] and Peyman Nasser, Amir Nasser [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 2 May 2018 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 43 The Boroughs, Maryborough Hill, County Cork is valid. The tenancy is not a Part 4 tenancy.
2. The Notice of Termination served on 14 June 2018 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 43 The Boroughs, Maryborough Hill, County Cork is valid, and the tenancy of the Dwelling terminated on 13 July 2018.
3. The Respondent Tenants and all persons residing in the above dwelling shall give up possession and vacate the dwelling in which they are in unlawful occupation and overholding, and return the keys of the Dwelling to the Applicant Landlord, within 7 days of the issue of this Determination Order.
4. The Respondent Tenants shall pay the Applicant Landlord the total sum of €12,620.00 within 70 days of the date of issue of this Order. This sum represents rent arrears up to 9 February 2019 in respect of the tenancy of the above dwelling of €12,120.00 plus an amount of €500.00 in damages for breach of tenant obligations to pay the rent.
5. From 10 February 2019 (the next payment date) onwards the Respondent Tenants shall also pay the equivalent of the rent at the rate of €1,300.00 per month or €42.74 per day unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, until such time as they vacate the dwelling.
6. The Applicant Landlord shall refund the entire of security deposit of €1,300.00 to the Respondent Tenants 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 28 March 2019.

  
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Gary Byrne

Higher Executive Officer

Duly authorised to sign on behalf of the Director