

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1119-58429**

In the matter of Brendan Gregg [Applicant Landlord] and Mark O'Leary [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 20 August 2019 by the Applicant Landlords on the Respondent Tenant in respect of the tenancy of the dwelling at Abbey Lodge, 1 Blind Gate, Kinsale, Co. Cork, is valid. The tenancy of the dwelling terminated on 17 September 2019.
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 Landlords on or before 17 January 2020 or within 7 days of the issue of this Order, whichever is the later date. On vacating, the Respondent Tenant shall return the keys of the dwelling to the Applicant Landlords.
3. The Respondent Tenant shall pay the total sum of €4,620.00 to the Applicant Landlords within 28 days of the date of issue of this Order (less any amounts that have already been paid by the Respondent Tenant). This sum represents rent arrears up to 12 November 2019 in respect of the tenancy of the above dwelling.
4. From 13 November 2019 onwards, the Respondent Tenant shall also pay the rent at the rate of €1,050.00 per month or proportional part thereof at the rate of €34.52 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 he vacates the dwelling.
5. The Applicant Landlords shall refund the entire of the security deposit 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 February 2020.

  
Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director