

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1119-58937**

In the matter of Ita Higgins and Owen Higgins [Applicant Landlord] and Christopher Mc Loughlin and Sarah Colmey [Respondent Tenants] 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 26th September 2019, served by the Applicant Landlords on the Respondent Tenants in respect of the tenancy of the dwelling at Apartment 38, Riverside Apartments, Main Street, Castlerea, County Roscommon, F45KR28, is valid.
2. The Respondent Tenants, and any other person/s residing in the above dwelling, shall vacate and give up possession of the above dwelling within seven days of the date of issue of this Order.
3. The Respondent Tenants shall pay the total sum of €7,617.14 to the Applicant Landlords, within 7 days of the date of issue of this Order, being rent arrears of €6,927.14 and damages of €690.00 for the consequences of the Respondent Tenants breach of Section 16(a)(i) of the Act, in respect of the tenancy of the above dwelling.
4. The Respondent Tenants shall also pay any further rent outstanding from 3rd March 2020, being the date of the Adjudication hearing, to the Applicant Landlords, at the rate of €85.00 per week or proportional part thereof at the rate of €12.14 per day, unless lawfully varied, together with any other charges 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 them and any other person/s residing therein.
5. The Applicant Landlords shall refund the entire of the security deposit of €80.00 to the Respondent Tenants, upon the Respondent Tenants vacating and giving up 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 20 August 2020.

Ciara Cronin

Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director