

Residential Tenancies Board

Determination Order

Ref: DR1120-66150

In the matter of DW Apartments [Applicant Landlord] and Brandon Crotty [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 the 2nd August 2020 by the Applicant Landlord on the Respondent Tenant, because of anti-social behaviour, in respect of the tenancy of the dwelling at Apartment 1, The Flats, 8 Barrack Street, Ardfinnan, Co. Tipperary, is valid. The tenancy terminated on the 11th August 2020.
2. The Notice of Termination served on the 11th December 2020 by the Applicant Landlord on the Respondent Tenant, because of rent arrears, in respect of the tenancy at the above address, is valid.
3. The Respondent Tenant is overholding the dwelling.
4. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the above dwelling within 7 days of the date of issue of this Determination Order.
5. The Respondent Tenant shall pay the total sum of €882.92 to the Applicant Landlord, within 7 days of the date of issue of this Determination Order. This sum of €882.92 being rent arrears for the period August 2020 to the 4th February 2021 in respect of the tenancy at the above address.
6. The Respondent Tenant shall also pay any further rent outstanding from the 5th February 2021, being the date immediately following the date of the virtual hearing, to the Applicant Landlord, at the rate of €600.00 per month or proportional part thereof at the rate of €19.72 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 the dwelling is vacated by him and any other current occupant/s.

7. The Applicant Landlord shall refund the entire of the security deposit of €600.00 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 24 March 2021.

Ciara Cronin

Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director