

Residential Tenancies Board

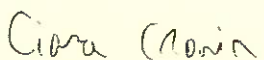
Determination Order

Ref: DR1120-66228, DR1020-65381

In the matter of Finbar Kelleher [Applicant/Respondent Landlord] and Joan Looney [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 with a date of service of 27th August 2020, served by the Applicant/Respondent Landlord on the Respondent/Applicant Tenant, in respect of the tenancy of the dwelling at Gloun, Schull, Co. Cork, is valid;
2. Pursuant to section 4 of the Residential Tenancies Act 2020 the Respondent/Applicant Tenant and any other persons residing in the dwelling shall not be required to vacate the dwelling during the emergency period as defined in section 2 of the Residential Tenancies Act 2020 or as extended by order under section 31A of the Health Act 1947. The Respondent/Applicant Tenant and any other persons residing in the dwelling shall vacate and give up possession of the above dwelling within 10 days of the expiration of the emergency period as defined in section 2 of the Residential Tenancies Act, 2020 (or as extended by order under section 31A of the Health Act 1947) or within 10 days of the issue of the determination order, whichever is the later;
3. The Respondent/Applicant Tenant shall also pay any further rent outstanding from 4th December 2020, being the date of the adjudication hearing, at the rate of €500 per month or proportionate part thereof at the rate of €16.44 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each month or part thereof, until such time as the above dwelling is vacated by the Respondent/Applicant Tenant and any other persons residing therein;
4. The Applicant/Respondent Landlord shall refund the security deposit of €500 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.

This Order was made by the Residential Tenancies Board on 18 March 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director