

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1218-50711**

In the matter of Amy McPhail [Applicant Landlord] and Gareth Kirkbride [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 12th December 2018, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Ballinalee Village, Main Street, Ballinalee, Co. Longford, is valid.
2. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling within 28 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €2,800.00 to the Applicant Landlord, within 28 days of the date of issue of this Order, being rent arrears of €2,800.00, in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 14th January 2018, being the date of the Adjudication hearing, to the Applicant Landlord, at the rate of €400.00 per month or proportional part thereof at the rate of €13.15 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 above dwelling.
5. The Applicant Landlord shall refund the entire of the security deposit of €400.00 to the Respondent Tenant, upon the Respondent Tenant 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 07 March 2019.



Grace McCormack Macken

Higher Executive Officer

Duly authorised to sign on behalf of the Director