

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1219-59336**

In the matter of Miroslava Orescanin [Applicant Tenant] and Tom McEntee [Respondent Landlord] 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 24th November 2019, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 16A Kermion House, North Quay, Drogheda, Co. Louth, is valid.
2. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 35 days of the date of issue of this Determination Order.
3. The Respondent Landlord shall pay the total sum of €489 to the Applicant Tenant, within 35 days of the date of issue of this Determination Order, being damages of €600 for breach of landlord obligations pursuant to Section 12(b) of the Act, for failing to maintain the dwelling less €111 for rent arrears in respect of the above address.
4. The Respondent Tenant shall also pay any further rent outstanding from 21 February 2020, being the date of the Adjudication Hearing, at the rate of €800 per month or proportionate part thereof at the rate of €26.30 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 Applicant Tenant and any other persons residing therein.
5. The Respondent Landlord shall refund the security deposit of €800 to the Applicant 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 16 July 2020.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director