

Residential Tenancies Board

Determination Order

Ref: DR1220-66818

In the matter of Eileen O' Dwyer, Marwan Daoud [Applicant Landlords] and David Hurley [Respondent 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 19th October 2020 served by the Applicant Landlords on the Respondent Tenant, in respect of the tenancy of the dwelling at 3 Rowan Avenue, Caherdavin Heights, Co. Limerick, is valid.
2. The Respondent Tenant and any other persons residing in the dwelling shall vacate and give up possession of the above dwelling. Pursuant to the Residential Tenancies Act 2020 the Respondent 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 Tenant and any other persons residing in the dwelling shall vacate the dwelling within 10 days of the expiration of the emergency period, or within 10 days of the date of issuance of this Determination Order, whichever is the later.
3. The Respondent Tenant shall pay the sum of €6,880 to the Applicant Landlords, within 56 days of the date of issue of this Determination Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 16th March 2021, being the date of the Adjudication Hearing, at the rate of €1,200 per month or proportionate part thereof at the rate of €39.45 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 Tenant and any other persons residing therein.
5. The Applicant Landlords shall refund the security deposit of €1,200 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 19 May 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director