

## Residential Tenancies Board

### Determination Order

**Ref: TR0523-006284/DR1022-80656**

In the matter of Richard Molloy [Appellant Tenant] and Tim O'Brien [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 07 June 2022 served by the Respondent Landlord on the Appellant Tenant, in respect of the tenancy of the dwelling at Apartment 89 Westland Square, Pearse Street, Dublin D02 KX92, is valid.
2. The Appellant Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Determination Order.
3. The Appellant Tenant shall pay the sum of €2,000.00 within 28 days of the issue of this Determination Order being damages for the Appellant Tenant's failure to vacate the dwelling on foot of a valid notice of termination.
4. The Respondent Landlord shall refund the security deposit of €1,900.00 to the Appellant Tenant, upon the Appellant Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
5. The Appellant Tenant shall continue to pay any further rent outstanding to the Respondent Landlord from 21 August 2023 being the date of the Tribunal Hearing, at the rate of €1,900.00 per month, or proportionate part thereof at the rate of €62.46 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement, for each month or part thereof, until such time as the above dwelling is vacated by the Appellant Tenant and any other persons residing therein.

This Order was made by the Residential Tenancies Board on 6 December 2023.



Ciara Cronin  
Higher Executive Officer  
Duly authorised to sign on behalf of the Director