

## **Residential Tenancies Board**

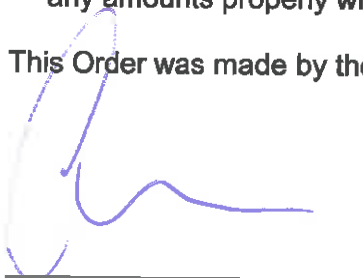
### **Determination Order**

**Ref: TR0618-003036/DR0318-42142**

In the matter of Karl Cosgrave [Appellant Landlord(s)] and Bryan Kirby [Respondent Tenant(s)] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Appellant Landlord on the 20 February, 2018 on the Respondent Tenant in respect of the tenancy at the dwelling at 20 The Terrace, Ardaun, Borrisokane, Tipperary, E45K090, is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 7 days of the issue of this Order.
3. The Respondent Tenant shall pay the total sum of €1000.00 to the Appellant Landlord within 14 days of the issue of this Order, being rent arrears, at the date of the appeal hearing, in respect of the tenancy at the above dwelling.
4. The Respondent Tenant shall continue to pay any further rent outstanding from the 5 September, 2018, being the date of the Tribunal hearing herein, at the rate of €650.00 per month or proportionate part thereof at the rate of €21.37 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 Appellant tenant vacates the above dwelling.
5. The Appellant Landlord shall refund the Respondent Tenant's security deposit of €650.00 upon him vacating and giving up 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 15 November 2018.



Carolyn O'Brien

Higher Executive Officer

Duly authorised to sign on behalf of the Director