

## **Residential Tenancies Board**

### **Determination Order**

**Ref: TR0719-003903/DR0519-54199**

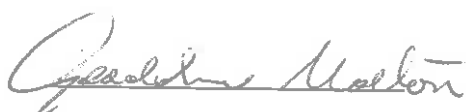
In the matter of Ben Maguire [Applicant Landlord] and Aonghus Morrissey [Respondent Tenant], the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that the findings of the Adjudicator stand in regard to paragraphs 1 – 5 below:

1. The Notice of Termination with a date of service of 16th January 2019 as served by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 55 Cartron Bay, Cartron, Sligo, 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 seven days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €9,551.80 to the Applicant Landlord, within seven days of the date of issue of this Order, being rent arrears of €8,683.80 together with adding damages of €868.00 for the consequences of the Respondent Tenant's breach of Section 16(a)(i) of the Act, in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from 26th June 2019, being the date of the Adjudication hearing, to the Applicant Landlord, at the rate of €800.00 per month or proportional part thereof at the rate of €26.30 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.

The Tribunal also determines at paragraph 6 below that:

6. The Respondent Tenant shall pay to the Applicant Landlord, within a period of fourteen days of the date of this Determination Order, the sum of €200 in respect of expenses arising out of defending the appeal herein.

This Order was made by the Residential Tenancies Board on 14 November 2019.

A handwritten signature in dark ink, appearing to read 'Geraldine Norton', written in a cursive style.

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director