

Residential Tenancies Board

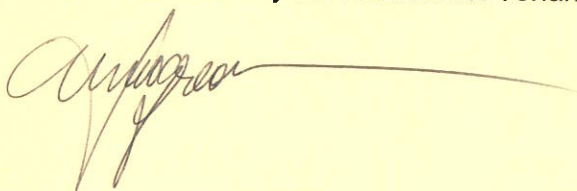
Determination Order

Ref: TR0723-006433/DR0323-84130

In the matter of Jason Cahill [Appellant Tenant] and Keith Fitzpatrick and Richard Fitzpatrick [Respondent Landlords] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Appellant Tenant has failed in his obligations under section 16(a)(i) of the Residential Tenancies Act 2004, as amended, to pay the rent as it fell due. The Appellant Tenant shall pay the sum of €1,341.00 to the Respondent Landlords within 28 days of the date of issue of this Determination Order, being rent arrears in respect of the tenancy of the above dwelling at 141 Oakleigh Wood, Dooradoyle, Road, Dooradoyle, Limerick, V94 VY8D.
2. The Appellant Tenant shall also pay the sum of €1,000.00 to the Respondent Landlords, within 28 days of the date of issue of this Determination Order, being damages for breach of Tenant obligations pursuant to section 16(h) of the Act, for the anti-social behaviour of the Appellant Tenant.
3. The Notice of Termination with a date of service of 13 January 2023, and served by the Respondent Landlords on the Appellant Tenant, in respect of the tenancy of the above dwelling is valid.
4. The Appellant Tenant has been over-holding in the dwelling since the 13 February 2023, and he shall vacate and give up possession of the above dwelling within 14 days of the date of issue of this Determination Order.
5. The Appellant Tenant shall continue to pay any further rent outstanding to the Applicant Landlord from 12 January 2024, being the date of the Tribunal hearing, at the rate of €220 per month, or proportionate part thereof at the rate of €7.23 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.
6. The Respondent Landlords shall refund the security deposit of €220 to the Appellant 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 28 February 2024.



Emilia Zagrean
Higher Executive Officer
Duly authorised to sign on behalf of the Director