

Residential Tenancies Board


Determination Order

Ref: TR1118-003334/DR0818-47128

In the matter of Liam Kirk, Diana Kirk [Appellant Tenants] and Charles McCormick, Bernadette McCormick [Respondent Landlords] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 8 August 2018 by the Respondent Landlords on Diana Kirk and Liam Kirk (called the 'Appellant Tenants' in this Determination), in respect of the tenancy of the dwelling at 4 Brighton Square, Brighton Avenue, Foxrock, Dublin 18 is valid.
2. The Appellant Tenants and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 42 days of the date of issue of this Order.
3. The Appellant Tenants shall pay any further rent outstanding from 8 February 2019, at the rate of €4,000 per month or proportional part thereof at the rate of €131.51 per day, unless lawfully varied, and any other charges as set out in the terms of the residential tenancy agreement for each month or part thereof, until such time as the Appellant Tenants vacate and give up possession of the above dwelling.
4. The Respondent Landlords shall refund the entire of the security deposit of €4,000 to the Appellant Tenants, upon the Appellant Tenants 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 1 March 2019.



Carolyn O'Brien
Higher Executive Officer
Duly authorised to sign on behalf of the Director