

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0919-56904**

In the matter of Mari Mina Pharmacy Ltd [Applicant Landlord] and Allan Fisher [Respondent Tenant], the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 26 August 2019 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 2, Rathcormac Healthcare Centre, Main Street, Rathcormac, Co. Cork is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall give up possession and vacate the dwelling in which they are in unlawful occupation and over-holding, and return the keys of the dwelling to the Applicant Landlord's agent, on or before 17 November 2019 or within 7 days of the issue of the Determination Order in this case, whichever is the later date.
3. The Respondent Tenant shall pay the Applicant Landlord the total sum of €7,839.65 within 28 days of the date of issue of the Order. This sum represents rent arrears up to 16 October 2019 in respect of the tenancy of the above dwelling.
4. From 17 October 2019 (date of the hearing) onwards the Respondent Tenant shall also pay the equivalent of the rent at the rate of €750.00 per month or €24.66 per day, unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, until such time as he vacates the above dwelling.
5. The Applicant Landlord shall refund to the Respondent Tenant the full amount of the deposit less any amounts properly withheld in accordance with the Act upon the Respondent Tenant vacating the above dwelling and returning the keys of the dwelling to the Applicant Landlord's agent.

This Order was made by the Residential Tenancies Board on 13 January 2021.



**Geraldine Norton**

**Higher Executive Officer**

**Duly authorised to sign on behalf of the Director**