

Private Residential Tenancies Board

Determination Order

Ref: DR0115-16139

In the matter of Sean Foley [Applicant Landlord] and Alfonso Sanponi [Respondent Tenant] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 24 November 2014, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 8 Sealy Close, Earls court, Waterford, 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 28 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €2,056 to the Applicant Landlord in 4 consecutive monthly payments of €514, on the 28th day of each month, commencing on the 28th day of the month immediately following the date of issue of this Order, being rent arrears of €2,056, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €2,056 will be deferred and the sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €2,056 has been paid in full.
5. For the avoidance of doubt any default in the payment of a monthly instalment shall act to cancel any further deferral and the balance due at the date of default of any such monthly payment shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from 03 February 2015 (date of hearing), at the rate of €600.00 per month, or proportionate part thereof at the rate of €19.73 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 he vacates the above dwelling.
7. The Applicant Landlord shall refund the entire of the security deposit of €600 to the Respondent 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 Private Residential Tenancies Board on 20 March 2015.



Catriona Walsh

Chairperson

Duly authorised to sign on behalf of the Board



Janette Fogarty

Assistant Director

Duly authorised to sign on behalf of the Board