

Private Residential Tenancies Board

Determination Order

Ref: DR0115-16205

In the matter of Brian Morris [Applicant Landlord] and Seamus Byrne [Respondent Tenant] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

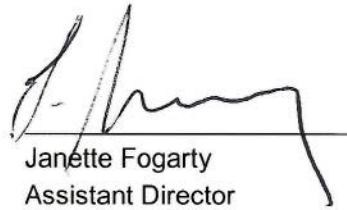
1. The Notice of Termination served on the 22nd July 2014 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Flat 5, 20 Leinster Road, Rathmines, Dublin 6, is valid.
2. The Respondent Tenant shall vacate and give up possession of the above dwelling within 28 days of the date of issue of the Order.
3. The Respondent Tenant shall pay €4,352.00 to the Applicant Landlord in 86 consecutive weekly payments of €50.00 followed by one payment of €52.00 in the immediately succeeding week, commencing on the 28th day of the month immediately following the date of issue of this Order, being rent arrears in respect of the tenancy at Flat 5, 20 Leinster Road, Rathmines, Dublin 6.
4. The enforcement of this Order for such payment of €4,352.00 will be deferred and the sum owing reduced by the cumulative sum paid in the weekly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €4,352.00 has been paid in full.
5. For the avoidance of doubt any default in the payment of a weekly instalment shall act to cancel any further deferral and the balance due at the date of default of any such weekly payment shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from the 6th March 2015, at the rate of €230.00 per week, or proportionate part thereof at the rate of €32.77 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each week or part thereof, until such time as he vacates the above dwelling.

This Order was made by the Private Residential Tenancies Board on 28 April 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