

Private Residential Tenancies Board

Determination Order

Ref: DR1112-03203

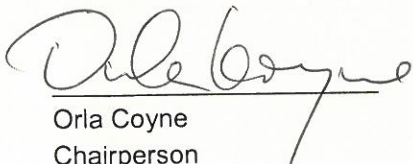
In the matter of Charlotte Purdy [Applicant/Respondent Landlord] and Suzanne Omoruyi Ade [Respondent/Applicant Tenant] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on the 8th October 2012, by the Applicant/Respondent Landlord on the Respondent/Applicant Tenant, in respect of the tenancy of the dwelling at 5 Charlestown Court, Finglas, Dublin 11, is valid.
2. The Respondent/Applicant 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/Applicant Tenant shall pay the sum of €3,769.50 to the Applicant/Respondent Landlord, at the rate of €350.00 per month for 10 months and one final payment of €269.50 in the final and consecutive month, payable on the 1st day of each month, commencing on the 1st of the month that immediately follows the date of issue of this Order.
4. The enforcement of this Order for such payment will be deferred and the sum owing reduced by the monies paid to the Applicant/Respondent Landlord on each due date until such time as the sum of €3,769.50 has been paid in full.
5. For the avoidance of doubt, any default in the payment of the monthly installments shall act to cancel any further deferral and the balance due at the date of default of the monthly payments shall immediately become due and owing to the Applicant/Respondent Landlord.
6. The Respondent/Applicant Tenant shall also pay any further rent outstanding from 17th December 2012, at the rate of €1,100.00 per month, or €36.16 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each day, until such time as she vacates the above dwelling.

7. The Applicant/Respondent Landlord shall refund the entire of the security deposit of €1,100.00 on gaining vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

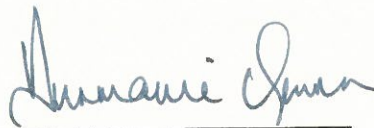
8. The Respondent/Applicant Tenant's claim that the Applicant/Respondent Landlord is in breach of his obligations under the Act, in respect of the tenancy of the above dwelling, is not upheld.

This Order was made by the Private Residential Tenancies Board on 12 February 2013.



Orla Coyne
Chairperson

Duly authorised to sign on behalf of the Board



Annmarie Quinn
Assistant Director

Duly authorised to sign on behalf of the Board

