

## Residential Tenancies Board

### Determination Order

**Ref: DR0116-23315**

In the matter of Chris Cleary [Applicant Landlord] and Gary Kavanagh [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Respondent Tenant shall pay the total sum of €2,490.00 to the Applicant Landlord by five consecutive payments of €498.00 on the 28th day of each month, commencing the next month after the issue of the Order, being rent arrears of €2,490.00 in respect of the tenancy of the dwelling at Flat 21B, 21 Johnstown Road, Dun Laoghaire, Co Dublin, A96H6V3;
2. The enforcement of the Order for such payment of €2,490.00 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalment(s) made by the Respondent Tenant to the Applicant Landlord at the date of default until such time as the total sum of €2,490.00 has been paid in full;
3. For the avoidance of doubt any default in the payment of the monthly instalment of €498.00 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;
4. The Respondent Tenant shall pay any further rent outstanding from 27 March 2016 at the rate of €140.00 per week, 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 Residential Tenancies Board on 26 April 2016.

  
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Tim Ryan  
Board Member  
Duly authorised to sign on behalf of the Board  
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Janette Fogarty  
Assistant Director  
Duly authorised to sign on behalf of the Board