

## Residential Tenancies Board

### Determination Order

Ref: DR0516-26543

In the matter of Irish Residential Properties REIT Plc [Applicant Landlord] and Artur Serweta [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 by the Applicant Landlord on the 5 May 2016 on the Respondent Tenant in respect of the tenancy of the dwelling at 32 Camac Crescent, Turvey Avenue, Inchicore, Dublin 8 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 the Order.
3. The Respondent Tenant shall pay the total sum of €2192.05 to the Applicant Landlord in 10 equal consecutive monthly installments at the rate of €200.00 per calendar month, on the 28th day of each month, followed by one further installment of €192.05 in the immediately succeeding month commencing the next month after the issue of the Order. This sum represents rent arrears of €2192.05 in respect of the tenancy of the dwelling at the above address.
4. The Respondent Tenant shall also pay any further rent outstanding from 8 July 2016 at the rate of €1500.00 per month, or proportional part thereof at the rate of €49.32 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 they vacate the above dwelling.
5. The enforcement of the Order for such payment of €2192.05 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until the sum of €2192.05 has been paid in full.
6. For the avoidance of doubt any default in the payment of any of the monthly instalments shall act to cancel any further deferral and the balance due at the date of default shall immediately become due and owing to the Applicant Landlord.
7. The Applicant Landlord shall refund the entire of the security deposit of €1125.00 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 02 September 2016.



Tim Ryan  
Board Member  
Duly authorised to sign on behalf of the Board



Claire Diggin  
Higher Executive Officer  
Duly authorised to sign on behalf of the Board