

Private Residential Tenancies Board

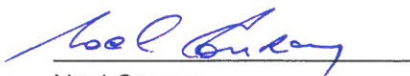
Determination Order

Ref: TR0614-000710/DR0314-11053

In the matter of Keith Lowe [Appellant Landlord] and Caroline Kenny [Respondent Tenant] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

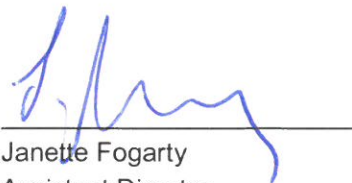
1. The Notice of Termination served by the Appellant Landlord on the Respondent Tenant on 7 February 2014 in respect of the tenancy of the dwelling at 43 Waver Court, Neilstown Road, Clondalkin, Dublin 22, is invalid.
2. The Respondent Tenant shall pay the total sum of €2,362.32 to the Appellant Landlord in 23 monthly instalments of €100.00 followed by a final instalment of €62.32 commencing on the 28th day of the month after the issue of this Order by the Board in respect of the tenancy of the above dwelling. The total sum of €2,362.32 represents the arrears of rent accrued between 21/01/2011 and 01/10/2014, no finding having been made on any contribution towards rent made by the HSE on behalf of the Respondent Tenant between 24/07/2014 and 01/10/2014.
3. The enforcement of the Order for such payment will be deferred and the total sum will be reduced by the number of monthly instalments made to the Appellant Landlord on each due date until the sum of €2,362.32 has been paid in full.
4. For the avoidance of doubt any default in payment of the monthly instalment shall act to cancel any further referral and the balance due at the date of default shall immediately become due and owing to the Appellant Landlord in full.
5. The Respondent tenant shall also pay any further rent outstanding from 6 October 2014 (the date of the hearing) at the rate of €800 per month, unless lawfully varied, and any other charge as set out in the terms of the tenancy agreement for each month or part thereof, until such time as she vacates the above dwelling.

This Order was made by the Private Residential Tenancies Board on 7 November 2014.



Noel Conroy
Board Member

Duly authorised to sign on behalf of the Board



Janette Fogarty
Assistant Director

Duly authorised to sign on behalf of the Board