

Private Residential Tenancies Board

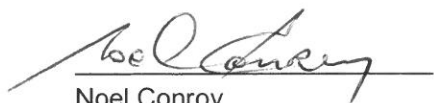
Determination Order

Ref: TR0514-000619/DR0913-07771

In the matter of Susi Medeiros [Applicant/Respondent Tenant] and David McKay [Respondent/Applicant Landlord] 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 30th October 2013 specifying a termination date of 29 November 2014 by the Respondent Landlord is valid, in respect of the tenancy of the dwelling at 15 Avondale Road, Phibsboro, Dublin 7.
2. The Appellant Tenant and all persons residing in the above dwelling, shall vacate and give up possession of the dwelling on 29 November 2014.
3. The Appellant Tenant shall pay rent arrears in the sum of €33,484.62 to the Respondent Landlord within 365 days of the date of issue of the Order by the Board. Payment shall be made in 12 equal instalments of €2,790.38 commencing on the 28th day of the month immediately following the date of issue of the Order by the Board. The enforcement of this Order for such payment of €33,484.62 will be deferred and the sum owing reduced by the cumulative sum paid in the instalments made by the Appellant Tenant to the Respondent Landlord on each due date until such time as the total sum of €33,484.62 has been paid in full. For the avoidance of doubt, any default in the payment of an instalment shall act to cancel any further deferral and the balance due at the date of default of any such payment shall immediately become due and owing to the Respondent Landlord.
4. The Tenant shall also continue to pay any further rent outstanding from the 18 June 2014, at the rate of €900 per month, or €29.59 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 she vacates the above dwelling less the sum of €1,000 for breach of Landlord obligations for failure to allow the tenant of the dwelling to enjoy peaceful and exclusive occupation of the dwelling.
5. The Respondent Landlord shall refund the entirety of the security deposit of €900.00 to the Appellant Tenant, on gaining vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Private Residential Tenancies Board on 07 November 2014.



Noel Conroy
Board Member

Duly authorised to sign on behalf of the Board



Anne Marie Caulfield
Director

Duly authorised to sign on behalf of the Board

