

Private Residential Tenancies Board

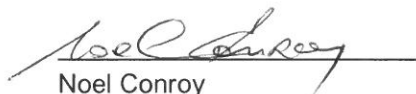
Determination Order

Ref: TR0514-000671/DR0214-10385

In the matter of Modupe Oyewole-Rufai [Appellant Tenant] and David McConnell [Respondent Landlord] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

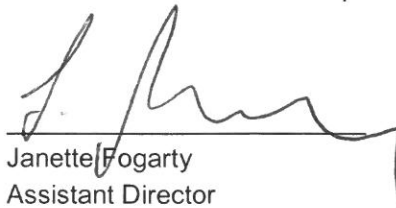
1. The Notice of Termination served on the Appellant Tenant by the Respondent Landlord on 18 May 2013 in respect of the dwelling at 30 Carrigmore Terrace, Saggart, Co Dublin, is valid.
2. The Appellant Tenant and all others residing in the dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Order by the Board.
3. The Appellant Tenant shall pay the total sum of €4,968.48 to the Respondent Landlord being rental arrears of €5,068.48 less €100 for breach of Landlord's obligations under section 12 (1)(b)(11) of the Act. Payment to be made at the rate of €414.04 per calendar month for twelve consecutive months, on the 28th day of each month, commencing the next month after the issue of this order by the Board.
4. The enforcement of the order for such payment will be deferred and the total sum owing will be reduced by the number of monthly payments of €414.04 made to the Respondent Landlord on each due date until the sum of €4,968.48 has been paid in full.
5. For the avoidance of doubt any default in the payment of the monthly instalments of €414.04 shall act to cancel any further deferral and the balance due at the date of default shall immediately become due and owing to the Respondent Landlord in respect of the dwelling at 30 Carrigmore Terrace, Saggart, Co Dublin.
6. The Appellant Tenant shall also pay any further rent outstanding from 31 July 2014 at the rate of €950.00 per month or proportional part thereof at the rate of €31.23 per day, unless lawfully varied, and any other charges as set out in the terms of the Tenancy agreement until such time as she vacates the dwelling.
7. The Respondent Landlord shall refund the security deposit of €1,300.00 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 12 September 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